



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, AUGUST 13, 2013**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**5:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
  - a) July 23, 2013 Regular Meeting (See Page 16)
  - b) July 24, 2013 Committee of the Whole Meeting (See Page 42)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
  - a) Contracts executed by County Executive (attachment) (See Page 47)
- 9. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**
  - a) M2013-0025: A Motion confirming the County Executive's appointment of David Crampton to serve on the Cuyahoga County Board of Developmental Disabilities, and declaring the necessity that this Motion become immediately effective. (See Page 51)

Sponsors: Councilmembers Connally and Conwell

**10. COMMITTEE REPORTS AND CONSIDERATION OF MOTIONS OF COUNCIL FOR  
SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- a) M2013-0022: A Motion confirming the County Executive's appointment of various individuals to serve on the Cuyahoga County Debarment Review Board, and declaring the necessity that this Motion become immediately effective: (See Page 57)

- 1) Brandon D. Cox
- 2) Roland J. DeMonte
- 3) Evan T. Byron

Sponsors: Councilmembers Connally and Conwell

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

- b) M2013-0023: A Motion confirming the County Executive's appointment of various individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, and declaring the necessity that this Motion become immediately effective: (See Page 60)

- 1) Steve Killpack
- 2) Eileen Saffran

Sponsors: Councilmembers Connally and Conwell

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

- c) M2013-0024: A Motion confirming the County Executive's appointment of various individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective: (See Page 63)

- 1) Gwendolyn Bragg
- 2) Susan DiCocco
- 3) Melissa Federman
- 4) Jefferrey Hall
- 5) Richard Jason
- 6) Bryan Jones
- 7) Charles Mitchell

- 8) James Stevenson
- 9) Leisha Yarbrough-Franklin
- 10) Kimberlin Dennis

Sponsors: Councilmembers Connally and Conwell

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

## **11. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING**

- a) R2013-0158: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, changing the appointing authority, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective. (See Page 66)

Sponsors: Councilmembers Conwell and Miller

Committee Assignment and Chair: Committee of the Whole – Greenspan

- b) R2013-0159: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective. (See Page 72)

Sponsors: Councilmembers Connally and Miller

Committee Assignment and Chair: Committee of the Whole – Greenspan

- c) R2013-0160: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective. (See Page 75)

Sponsors: Councilmembers Simon and Miller

Committee Assignment and Chair: Committee of the Whole – Greenspan

- d) R2013-0161: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective. (See Page 78)

Sponsors: Councilmembers Connally and Greenspan

Committee Assignment and Chair: Committee of the Whole – Greenspan

- e) R2013-0162: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective. (See Page 81)

Sponsors: Councilmembers Connally, Greenspan and Miller

Committee Assignment and Chair: Committee of the Whole – Greenspan

- f) R2013-0164: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective. (See Page 84)

Sponsors: Councilmembers Greenspan and Schron

Committee Assignment and Chair: Committee of the Whole – Greenspan

## **12. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR THIRD READING ADOPTION**

- a) R2013-0127: A Resolution directing the County Executive to develop and propose a program to encourage environmentally and economically efficient employee transportation, and declaring the necessity that this Resolution become immediately effective. (See Page 87)

Sponsor: Council President Connally

**13. CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR THIRD READING [WITH RECOMMENDATION TO PLACE ON BALLOT]**

- a) R2013-0136: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article VI, Section 6.02 of the Charter of Cuyahoga County clarifying the role of the Board of Revision; and declaring the necessity that this Resolution become immediately effective. (See Page 90)

Sponsors: Council President Connally on behalf of Charter Review Commission

- b) R2013-0137: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.10(5) of the Charter of Cuyahoga County specifying actions of Council that do not require Executive approval to be binding; and declaring the necessity that this Resolution become immediately effective. (See Page 94)

Sponsors: Council President Connally on behalf of Charter Review Commission

- c) R2013-0139: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.03 of the Charter of Cuyahoga County preventing the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting; and declaring the necessity that this Resolution become immediately effective. (See Page 98)

Sponsors: Council President Connally on behalf of Charter Review Commission

- d) R2013-0140: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.01 of the Charter of Cuyahoga County requiring any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy; and declaring the necessity that this Resolution become immediately effective. (See Page 101)

Sponsors: Council President Connally on behalf of Charter Review Commission

- e) R2013-0143: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.04 Vacancy of the Executive of the County Charter requiring the County Executive to designate a successor and more clearly specify the order of succession in

case of a vacancy; and declaring the necessity that this Resolution become immediately effective. (See Page 104)

Sponsors: Council President Connally on behalf of Charter Review Commission

- f) R2013-0144: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.07 Vacancies and Length of Appointment of Council clarifying the length of appointment should a vacancy in the Council arise; and declaring the necessity that this Resolution become immediately effective. (See Page 107)

Sponsors: Council President Connally on behalf of Charter Review Commission

- g) R2013-0145: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI adding Section 11.05 Performance Audit of Cuyahoga County's Justice System requiring the County Executive to appoint a board or university to conduct a performance audit of the Cuyahoga County Justice System; and declaring the necessity that this Resolution become immediately effective. (See Page 110)

Sponsors: Council President Connally on behalf of Charter Review Commission

#### **14. CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR THIRD READING [WITH RECOMMENDATION NOT TO PLACE ON BALLOT]**

- a) R2013-0133: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective. (See Page 113)

Sponsors: Council President Connally on behalf of Charter Review Commission

- b) R2013-0134: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.09 of the Charter of Cuyahoga County imposing a duty on Council to enact campaign finance laws governing the election of County officers and officials; and declaring the necessity that this Resolution become immediately effective. (See Page 116)

Sponsors: Council President Connally on behalf of Charter Review Commission

- c) R2013-0135: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 of the Charter of Cuyahoga County requiring the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to appointing the Clerk of Courts; and declaring the necessity that this Resolution become immediately effective. (See Page 119)

Sponsors: Council President Connally on behalf of Charter Review Commission

- d) R2013-0138: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective. (See Page 122)

Sponsors: Council President Connally on behalf of Charter Review Commission

- e) R2013-0141: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective. (See Page 126)

Sponsors: Council President Connally on behalf of Charter Review Commission

- f) R2013-0142: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective. (See Page 129)

Sponsors: Council President Connally on behalf of Charter Review Commission

- g) R2013-0146: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective. (See Page 132)

Sponsors: Council President Connally on behalf of Charter Review Commission

- h) R2013-0147: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective. (See Page 135)

Sponsors: Council President Connally on behalf of Charter Review Commission

#### **15. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**

- a) O2013-0019: An Ordinance amending Sections 704.01 to 704.03 of the Cuyahoga County Code to designate that the Additional DTAC Fee commence on 1/1/2014 and continue through 12/31/2018, and declaring the necessity that this Ordinance become immediately effective. (See Page 141)

Sponsors: Councilmembers Jones and Miller

#### **16. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**

- a) R2013-0175: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective. (See Page 144)

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



**17. CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE**

- a) R2013-0176: A Resolution authorizing a contract with Alliance Soccer Dome, LLC in the amount of \$54,750.00 for lease of parking spaces located at 6060 West Canal Road, Valley View, for the period 11/15/2012 - 11/14/2015; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 182)

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

- b) R2013-0177: A Resolution making an award on RQ24534 to Everlasting Baptist Church in the amount of \$100,000.00 for sale of the Glenville NFSC Building, located at 12212 St. Clair Avenue, Cleveland; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transaction; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective. (See Page 186)

Sponsor: County Executive FitzGerald/Department of Public Works

- c) R2013-0178: A Resolution making an award on RQ24534 to Olmsted Township Board of Trustees in the amount of \$85,000.00 for sale of the Brentwood Development Site, located at 8544 Usher Road, Olmsted Township; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transaction; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective. (See Page 189)

Sponsor: County Executive FitzGerald/Department of Public Works

- d) R2013-0179: A Resolution making an award on RQ24534 to Weston Inc. in the total amount of \$3,420,000.00 for the sale of various County buildings; authorizing leases in connection with said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the projects; and declaring the necessity that this Resolution become immediately effective: (See Page 193)

- 1) in the amount not-to-exceed \$3,023,641.80 for lease of the Marion Building, located at 1276 West Third Street, Cleveland, for a period of three years.
- 2) in the amount not-to-exceed \$391,272.00 for lease of the Superior Auto Title Building, located at 1261 Superior Avenue, Cleveland, for a period of one year.
- 3) in the amount not-to-exceed \$130,470.96 for lease of the Hamilton Garage, located at 1801 St. Clair Avenue, Cleveland, for a period of six months.

Sponsor: County Executive FitzGerald/Department of Public Works

- e) R2013-0180: A Resolution authorizing an agreement with State of Ohio, Office of the Auditor in the amount not-to-exceed \$647,800.00 for an annual audit for Calendar Year 2012 for the period 4/30/2013 - 12/31/2013; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 197)

Sponsor: County Executive FitzGerald/Fiscal Officer

- f) R2013-0181: A Resolution making an award on RQ28277 to The Salvation Army in the amount of \$527,499.00 for the PASS Transitional Housing Program in connection with the FY2012 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act for the period 10/1/2013 - 9/30/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution, and declaring the necessity that this Resolution become immediately effective. (See Page 202)

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

- g) R2013-0182: A Resolution making an award on RQ27041 to ResCare Workforce Services in the amount not-to-exceed \$992,237.00 for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 - 9/30/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 207)

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

- h) R2013-0183: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013 to change the scope of services and the terms, effective 7/1/2013; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 216)
- 1) No. CE1100607-01 with Christian Children’s Home of Ohio, Inc. and for additional funds in the amount of \$44,084.00.
  - 2) No. CE1100773-01 with Keystone Richland Center, LLC dba Foundations for Living; no additional funds required.

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

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

- a) R2013-0168: A Resolution authorizing the appropriation of real property in connection with right-of-way plans for replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130<sup>th</sup> Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective: (See Page 231)
- 1) Parcel No(s): 13-WD & T  
Permanent Parcel No.: 019-05-016  
Owner: Clear Channel Outdoor, Inc., a Delaware Corporation fka Eller Media Company  
Approved Appraisal (Fair Market Value Estimate): \$2,794.00

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

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

- b) R2013-0171: A Resolution making an award on RQ27969 to the architectural firm of Cooper Carry, Inc.; authorizing the County Executive to negotiate, enter into, and execute an initial 90-day contract with Cooper Carry, Inc. in an amount not-to-exceed \$1,500,000.00 and to execute all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 234)

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Economic Development & Planning – Schron

- c) R2013-0173: A Resolution approving the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective. (See Page 237)

Sponsors: County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission

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

- d) R2013-0174: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 252)

- 1) to change the scope of services and the terms, effective 7/1/2013, and for a decrease in funds:

- i) No. CE1100616-01 with Alliance Human Services, Inc. in the amount of (\$738,830.00).
- ii) No. CE1100617-01 with Applewood Centers Inc. in the amount of (\$631,738.00).
- iii) No. CE1100620-01 with Bellefaire Jewish Children's Bureau in the amount of (\$268,079.00).
- iv) No. CE1100623-01 with Catholic Charities Corporation (Parmadale) in the amount of (\$611,817.00).

- v) No. CE1100621-01 with Guidestone in the amount of (\$616,600.00).
  - vi) No. CE1100613-01 with New Directions, Inc. in the amount of (\$300,000.00).
  - vii) No. CE1100625-01 with Options for Families and Youth in the amount of (\$400,000.00).
  - viii) No. CE1100615-01 with Pathway Caring for Children in the amount of (\$106,095.00).
  - ix) No. CE1100626-01 with Pressley Ridge in the amount of (\$200,000.00).
  - x) No. CE1100628-01 with START - Support to At-Risk Teens in the amount of (\$157,842.00).
  - xi) No. CE1100629-01 with The Bair Foundation in the amount of (\$153,673.00).
  - xii) No. CE1100631-01 with The Twelve of Ohio, Inc. in the amount of (\$426,754.00); and
- 2) to change the scope of services and the terms, effective 7/1/2013, and for additional funds:
- xiii) No. CE1100618-01 with Beech Brook in the amount of \$799,406.00.
  - xiv) No. CE1100619-01 with BHC Belmont Pines Hospital, Inc. in the amount of \$289,741.00.
  - xv) No. CE1100622-01 with Caring for Kids, Inc. in the amount of \$60,055.00.
  - xvi) No. CE1100771-01 with Carrington Youth Academy LLC in the amount of \$134,512.00.
  - xvii) No. CE1100610-01 with Diversion-Adolescent Foster Care of Ohio, Inc. in the amount of \$25,641.00.

- xviii) No. CE1100672-01 with House of New Hope in the amount of \$52,263.00.
  - xix) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount of \$2,396.00.
  - xx) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount of \$79,717.00.
  - xxi) No. CE1100627-01 with Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$373,299.00.
  - xxii) No. CE1100630-01 with The Cleveland Christian Home Incorporated in the amount of \$197,303.00.
  - xxiii) No. CE1100633-01 with The Village Network in the amount of \$239,083.00; and
- 3) to change the terms, effective 7/1/2013; no additional funds required:
- xxiv) No. CE1100609-01 with Cornell Abraxas Group, Inc.; and

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

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

## **19. CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION**

- a) R2013-0101: A Resolution declaring that public convenience and welfare requires widening and reconstruction of East 105<sup>th</sup> Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland; total estimated construction cost \$44,475,196.00; finding that special assessments will neither be levied nor collected to pay for any part of the County’s costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective. (See Page 257)

Sponsors: County Executive FitzGerald/Department of Public Works/Division of County Engineer and Councilmember Conwell

**20. CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE**

- a) O2013-0020: An Ordinance enacting Chapter 712 of the Cuyahoga County Code to establish the Cuyahoga County Lodging Excise Tax Code of Regulations, effective 10/1/2013; and declaring the necessity that this Ordinance become immediately effective. (See Page 260)

Sponsors: County Executive FitzGerald/Fiscal Officer

- b) O2013-0021: An Ordinance enacting Chapter 713 of the Cuyahoga County Code to establish various dog license fees, effective 12/1/2013; and declaring the necessity that this Ordinance become immediately effective. (See Page 275)

Sponsors: County Executive FitzGerald/Fiscal Officer

**21. MISCELLANEOUS COMMITTEE REPORTS**

**22. MISCELLANEOUS BUSINESS**

**23. PUBLIC COMMENT UNRELATED TO AGENDA**

**24. ADJOURNMENT**

NEXT MEETING

REGULAR MEETING:

TUESDAY, AUGUST 27, 2013  
5:00 PM / COUNCIL CHAMBERS

\*In accordance with Section 108.01 of the Cuyahoga County Code, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, JULY 23, 2013  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
5:00 PM**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**Council President Connally requested a moment of silent meditation be dedicated to victims of violence in Cuyahoga County and across the nation.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**Mr. Joseph Gauntner, representing Cuyahoga Job & Family Services, addressed Council regarding Resolution No. R2013-0166, a Resolution proclaiming the month of August 2013 as Child Support Awareness Month in Cuyahoga County.**

**The following citizens addressed Council regarding issues of concern to them relating to Resolution No. R2013-0132, a Resolution determining to proceed with submitting**



to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services:

- 1) Mr. Steve Morse, Recovery Resources/Council of Agency Directors
- 2) Ms. Liz Cornachione, Mental Health & Addiction Advocacy Coalition
- 3) Mr. Mike Matoney, New Directions

Ms. Karen Clinton addressed Council regarding issues of concern to her relating to Resolution No. R2013-0160, a Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office.

South Euclid City Councilmember Marty Gelfand addressed Council regarding issues of concern to him relating to Resolution No. R2013-0101, a Resolution declaring that public convenience and welfare requires widening and reconstruction of East 105<sup>th</sup> Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland.

#### 6. APPROVAL OF MINUTES

- a) July 9, 2013 Committee of the Whole Meeting
- b) July 9, 2013 Regular Meeting
- c) July 10, 2013 Committee of the Whole Meeting
- d) July 11, 2013 Committee of the Whole Meeting

A motion was made by Mr. Rogers, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the July 9, 2013 Committee of the Whole meeting, the July 9, 2013 regular meeting, the July 10, 2013 Committee of the Whole meeting and the July 11, 2013 Committee of the Whole meeting.

#### 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally reported the following:

- 1) Thanked George Phillips, Council Services Coordinator, for his years of service to the County Council upon his resignation;
- 2) Item No. 17, consideration of a Resolution for first reading adoption under suspension of rules/executive session, would be taken out of order and considered after Item No. 25 on the agenda; and

- 3) **Mr. Jeffrey Appelbaum would address Council regarding Resolution No. R2013-0171, a Resolution approving the retention of a criteria architect for the Convention Center Hotel Project pursuant to RQ27969, and discuss the process of selecting Cooper Carry, Inc. as the architect recommended for the project. Mr. Appelbaum then proceeded to address Council.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

**County Executive FitzGerald reported that he has received requests from suburban communities in the eastern portion of the County for emergency assistance due to flooding damage from heavy storms over the weekend. The County is currently conducting damage assessments and may request a Disaster Declaration from FEMA.**

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

- a) M2013-0022: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga County Debarment Review Board, and declaring the necessity that this Motion become immediately effective:
  - 1) Brandon D. Cox
  - 2) Roland J. DeMonte
  - 3) Evan T. Byron

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Motion No. M2013-0022 to the Human Resources, Appointments & Equity Committee.**

- b) M2013-0023: A Motion confirming the County Executive's appointment of individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, and declaring the necessity that this Motion become immediately effective:
  - 1) Steve Killpack
  - 2) Eileen Saffran

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Motion No. M2013-0023 to the Human Resources, Appointments & Equity Committee.**

- c) M2013-0024: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective:

- 1) Gwendolyn Bragg
- 2) Susan DiCocco
- 3) Melissa Federman
- 4) ~~Jeffrey~~ **Jeffrey** Hall
- 5) Richard Jason
- 6) Bryan Jones
- 7) Charles Mitchell
- 8) ~~Jason~~ **JAMES** Stevenson
- 9) Leisha Yarbrough-Franklin
- 10) Kimberlin Dennis

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Motion No. M2013-0024 to the Human Resources, Appointments & Equity Committee.**

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

- a) R2013-0158: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, changing the appointing authority, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Conwell and Miller

**Council President Connally referred Resolution No. R2013-0158 to the Committee of the Whole.**

- b) R2013-0159: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Miller

**Council President Connally referred Resolution No. R2013-0159 to the Committee of the Whole.**

- c) R2013-0160: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon and Miller

**Council President Connally referred Resolution No. R2013-0160 to the Committee of the Whole.**

- d) R2013-0161: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Greenspan and Miller

**Council President Connally referred Resolution No. R2013-0161 to the Committee of the Whole.**

- e) R2013-0162: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Greenspan and Miller

**Council President Connally referred Resolution No. R2013-0162 to the Committee of the Whole.**

- f) R2013-0163: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article VI, Section 6.03 of the Charter of Cuyahoga County establishing the Investment Advisory Committee in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Greenspan

**Council President Connally referred Resolution No. R2013-0163 to the Committee of the Whole.**

- g) R2013-0164: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan and Schron

**Council President Connally referred Resolution No. R2013-0164 to the Committee of the Whole.**

11. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING

- a) R2013-0127: A Resolution directing the County Executive to develop and propose a program to encourage environmentally and economically efficient employee transportation, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Council President Connally

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

**Clerk Schmotzer read Resolution No. R2013-0127 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for consideration for third reading adoption.**

12. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2013-0132.**

- a) R2013-0132: A Resolution determining to proceed with submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and

human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Brady, Jones, Germana, Miller, **Conwell, Simon and Connally**

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

**On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2013-0132 was considered and adopted by unanimous roll-call vote.**

13. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING [WITH RECOMMENDATION TO PLACE ON BALLOT]

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9C and waive reading the legislation by full title and permit a reading by brief title to constitute the second reading for Resolution Nos. R2013-0136, R2013-0137, R2013-0139, R2013-0140, R2013-0143, R2013-0144 and R2013-0145.**

- a) R2013-0136: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article VI, Section 6.02 of the Charter of Cuyahoga County clarifying the role of the Board of Revision; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0136 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- b) R2013-0137: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.10(5) of the Charter of Cuyahoga County specifying actions of Council that do not require Executive approval to be binding; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0137 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- c) R2013-0139: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.03 of the Charter of Cuyahoga County preventing the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0139 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- d) R2013-0140: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.01 of the Charter of Cuyahoga County requiring any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0140 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- e) R2013-0143: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.04 Vacancy of the Executive of the County Charter requiring the County Executive to designate a successor and more clearly specify the order of succession in

case of a vacancy; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0143 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- f) R2013-0144: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.07 Vacancies and Length of Appointment of Council clarifying the length of appointment should a vacancy in the Council arise; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0144 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- g) R2013-0145: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI adding Section 11.05 Performance Audit of Cuyahoga County's Justice System requiring the County Executive to appoint a board or university to conduct a performance audit of the Cuyahoga County Justice System; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0145 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**



14. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR  
SECOND READING [WITH RECOMMENDATION NOT TO PLACE ON BALLOT]

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9C and waive reading the legislation by full title and permit a reading by brief title to constitute the second reading for Resolution Nos. R2013-0133, R2013-0134, R2013-0135, R2013-0138, R2013-0141, R2013-0142, R2013-0146 and R2013-0147.**

- a) R2013-0133: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0133 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- b) R2013-0134: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.09 of the Charter of Cuyahoga County imposing a duty on Council to enact campaign finance laws governing the election of County officers and officials; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0134 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- c) R2013-0135: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 of the Charter of Cuyahoga County requiring the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to

appointing the Clerk of Courts; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0135 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- d) R2013-0138: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0138 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- e) R2013-0141: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0141 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- f) R2013-0142: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of

the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0142 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- g) R2013-0146: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0146 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

- h) R2013-0147: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0147 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for third reading.**

15. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2013-0017: An Ordinance enacting Chapter 603 of the Cuyahoga County Code to establish a Cuyahoga County Fire and Smoke Damper Inspection Program, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Gallagher and Greenspan

**Council President Connally referred Ordinance No. O2013-0017 to the Public Safety & Justice Affairs Committee.**

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

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2013-0165 and R2013-0166.**

- a) R2013-0165: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; amending Resolution No. R2013-0118 dated 6/11/2013, to correct typographical errors; and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2013-0165 was considered and adopted by unanimous vote.**

- b) R2013-0166: A Resolution proclaiming the month of August 2013 as Child Support Awareness Month in Cuyahoga County: "Support is Key", and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0166 was considered and adopted by unanimous vote.**

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

**[Note: Item No. 17 was taken out of order and considered after Item No. 25 on the agenda.]**

**A motion was made by Mr. Schron, seconded by Mr. Rogers and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters concerning collective bargaining and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 6:40 p.m. The following members were present: Councilmembers Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers and Connally. The following additional attendees were also present: County Executive Ed FitzGerald, Law Director Majeed Makhlof, Director of Public Works Bonnie Teeuwen and Employee Relations Specialist Jason Sobczyk. At 6:49 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the regular meeting.**

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A.**

- a) R2013-0167: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 31 employees in 12 classifications in the Department of Public Works for the period 1/1/2012 - 12/31/2014; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0167 was considered and adopted by unanimous vote.**

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

- a) R2013-0168: A Resolution authorizing the appropriation of real property in connection with right-of-way plans for replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130<sup>th</sup> Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective:

- 1) Parcel No(s): 13-WD & T  
Permanent Parcel No.: 019-05-016  
Owner: Clear Channel Outdoor, Inc., a Delaware Corporation fka Eller Media Company  
Approved Appraisal (Fair Market Value Estimate): \$2,794.00

Sponsors: County Executive FitzGerald/Department of Public Works/  
Division of County Engineer **and Councilmember Miller**

**Council President Connally referred Resolution No. R2013-0168 to the Public Works, Procurement & Contracting Committee.**

- b) R2013-0169: A Resolution making an award on RQ24534 to Welcome House, Inc. in the amount of \$650,000.00 for sale of the County Archives Building; authorizing a Lease for said building in the amount of \$12.00 for a 12-month period commencing on the closing date of said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

**Council President Connally referred Resolution No. R2013-0169 to the Committee of the Whole.**

- c) R2013-0170: A Resolution making an award on RQ24534 to Halle Industrial Park, LLC in the amount of \$10,069,265.64 for lease of space for the period anticipated to be 6/1/2014 - 6/30/2024; authorizing the County Executive to take all necessary actions and to execute all

documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

**Council President Connally referred Resolution No. R2013-0170 to the Committee of the Whole.**

- d) R2013-0171: A Resolution approving the retention of a criteria architect for the Convention Center Hotel Project pursuant to RQ27969; awarding an initial 90-day contract with a criteria architect pursuant to the RFQ for an amount not-to-exceed \$1,500,000.00; authorizing the County Executive to negotiate, enter into, and execute a contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

**Mr. Schron introduced a proposed substitute to Resolution No. R2013-0171. Discussion ensued. A motion was then made by Mr. Schron, seconded by Mr. Miller and approved by unanimous vote to accept the proposed substitute.**

**Council President Connally then referred Resolution No. R2013-0171 to the Economic Development & Planning Committee, as substituted.**

- e) R2013-0172: A Resolution making an award on RQ27791 to KeyBank Inc. for various banking and treasury services, including implementation of the County's College Savings Account Program, for the period 8/24/2013 - 8/23/2017; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

**Council President Connally referred Resolution No. R2013-0172 to the Finance & Budgeting Committee and to the Education, Environment & Sustainability Committee.**

- f) R2013-0173: A Resolution approving the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission

**Council President Connally referred Resolution No. R2013-0173 to the Human Resources, Appointments & Equity Committee.**

- g) R2013-0174: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
- 1) to change the scope of services and the terms, effective 7/1/2013, and for a decrease in funds:
    - i) No. CE1100616-01 with Alliance Human Services, Inc. in the amount of (\$738,830.00).
    - ii) No. CE1100617-01 with Applewood Centers Inc. in the amount of (\$631,738.00).
    - iii) No. CE1100620-01 with Bellefaire Jewish Children's Bureau in the amount of (\$268,079.00).
    - iv) No. CE1100623-01 with Catholic Charities Corporation (Parmadale) in the amount of (\$611,817.00).
    - v) No. CE1100621-01 with Guidestone in the amount of (\$616,600.00).
    - vi) No. CE1100613-01 with New Directions, Inc. in the amount of (\$300,000.00).
    - vii) No. CE1100625-01 with Options for Families and Youth in the amount of (\$400,000.00).
    - viii) No. CE1100615-01 with Pathway Caring for Children in the amount of (\$106,095.00).
    - ix) No. CE1100626-01 with Pressley Ridge in the amount of (\$200,000.00).
    - x) No. CE1100628-01 with START - Support to At-Risk Teens in the amount of (\$157,842.00).



- xi) No. CE1100629-01 with The Bair Foundation in the amount of (\$153,673.00).
  - xii) No. CE1100631-01 with The Twelve of Ohio, Inc. in the amount of (\$426,754.00); and
- 2) to change the scope of services and the terms, effective 7/1/2013, and for additional funds:
- xiii) No. CE1100618-01 with Beech Brook in the amount of \$799,406.00.
  - xiv) No. CE1100619-01 with BHC Belmont Pines Hospital, Inc. in the amount of \$289,741.00.
  - xv) No. CE1100622-01 with Caring for Kids, Inc. in the amount of \$60,055.00.
  - xvi) No. CE1100771-01 with Carrington Youth Academy LLC in the amount of \$134,512.00.
  - xvii) No. CE1100610-01 with Diversion-Adolescent Foster Care of Ohio, Inc. in the amount of \$25,641.00.
  - xviii) No. CE1100672-01 with House of New Hope in the amount of \$52,263.00.
  - xix) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount of \$2,396.00.
  - xx) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount of \$79,717.00.
  - xxi) No. CE1100627-01 with Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$373,299.00.
  - xxii) No. CE1100630-01 with The Cleveland Christian Home Incorporated in the amount of \$197,303.00.
  - xxiii) No. CE1100633-01 with The Village Network in the amount of \$239,083.00; and
- 3) to change the terms, effective 7/1/2013; no additional funds required:

xxiv) No. CE1100609-01 with Cornell Abraxas Group, Inc.; and

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

**Council President Connally referred Resolution No. R2013-0174 to the Health, Human Services & Aging Committee.**

19. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- a) R2013-0101: A Resolution declaring that public convenience and welfare requires widening and reconstruction of East 105<sup>th</sup> Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland; total estimated construction cost \$44,475,196.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/ Division of County Engineer and Councilmember Conwell

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

**Clerk Schmotzer read Resolution No. R2013-0101 into the record.**

**This item will move to the August 13, 2013 Council meeting agenda for consideration for third reading adoption.**

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

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2013-0121, R2013-0131, R2013-0149, R2013-0150, R2013-0151, R2013-0152, R2013-0153, R2013-0154, R2013-0155, R2013-0156 and R2013-0157.**

- a) R2013-0121: A Resolution adopting the 2013 Economic Development Plan in accordance with Section 7.05 of the Cuyahoga County Charter and Section 801.01 of the Cuyahoga County Code, 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 Ms. Conwell with a second by Mr. Schron, Resolution No. R2013-0121 was considered and adopted by unanimous vote.**

- b) R2013-0131: A Resolution authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald on behalf of Juvenile Court

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

**On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0131 was considered and adopted by unanimous vote.**

- c) R2013-0149: A Resolution authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-5010 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road Intersection in the City of Shaker Heights and Village of Highland Hills; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective:

- 1) Parcel No(s): 2-WD & T  
Permanent Parcel No.: 736-28-060  
Owner: Cleveland I Limited Partnership, a Maryland Limited Partnership  
Approved Appraisal (Fair Market Value Estimate): \$641,750.00

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

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0149 was considered and adopted by unanimous vote.**

- d) R2013-0150: A Resolution making an award on RQ27640 to Specialized Construction Incorporated in the amount not-to-exceed \$1,598,608.15 for resurfacing Solon Road from Maple Street to Solon North Corporation Line in the Villages of Bentleyville and Chagrin Falls; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/  
Division of County Engineer and Councilmember Jones

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

**On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0150 was considered and adopted by unanimous vote.**

- e) R2013-0151: A Resolution making an award on RQ26659 to United Labor Agency, Inc. in the amount not-to-exceed \$1,339,500.00 for Employer Services for the period 7/1/2013 - 6/30/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Workforce Development

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

**On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2013-0151 was considered and adopted by unanimous vote.**

- f) R2013-0152: A Resolution making awards on RQ26661 to various providers in the total amount not-to-exceed \$2,641,737.00 for

Employment Connection One-Stop Operation and Services to Job Seekers for the period 7/1/2013 - 6/30/2014; authorizing the County Executive to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) Mature Services, Incorporated in the amount not-to-exceed \$262,237.00.
- 2) United Labor Agency, Inc. in the amount not-to-exceed \$2,379,500.00.

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

**On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2013-0152 was considered and adopted by unanimous vote.**

- g) R2013-0153: A Resolution authorizing the County Executive to accept, on behalf of the County, the donation of four cemetery lots within the Crown Hill Cemetery, Twinsburg, Ohio, from Charles A. Suhay, valued at approximately \$4,000.00, for the purpose of accommodating indigent burials; authorizing the County Executive to execute all documents that are necessary to effectuate such transfer; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Medical Examiner

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

**On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0153 was considered and adopted by unanimous vote.**

- h) R2013-0154: A Resolution authorizing an amendment to Contract No. CE1100151-02 with Guidestone fka Berea Children’s Home for Community-based Treatment Center Management Services for the period 1/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount of \$1,153,828.80; authorizing the County Executive to execute the amendment and all other documents

consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald on behalf of Juvenile Court

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

**On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2013-0154 was considered and adopted by unanimous vote.**

- i) R2013-0155: A Resolution making an award on RQ26143 to Emergency CallWorks, Inc. in the amount not-to-exceed \$11,612,184.00 for Vendor-hosted Next Generation 9-1-1 Services for the period 8/1/2013 - 1/31/2025; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Safety and Justice Services and Councilmembers Rogers, Germana, Miller, Conwell and Greenspan

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

**On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0155 was considered and adopted by unanimous vote.**

- j) R2013-0156: A Resolution authorizing a revenue generating agreement with Warrensville Heights City School District in the amount not-to-exceed \$2.00 for lease of space at the Green Road Services Center, located at 4329 Green Road, Highland Hills, for operation of special education and early childhood programs for the period 8/1/2013 - 7/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities and Councilmember Germana

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

**On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0156 was considered and adopted by unanimous vote.**

- k) R2013-0157: A Resolution authorizing various revenue generating agreements with Educational Service Center of Cuyahoga County, each in the amount not-to-exceed \$2.00, for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Help Me Grow Programs for the period 9/15/2013 - 9/14/2015; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) Green Road Services Center, located at 4329 Green Road, Highland Hills.
- 2) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland.

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities and Councilmember Germana

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

**On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0157 was considered and adopted by unanimous vote.**

21. CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2013-0018: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's performance bond and insurance requirements and repealing Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 in conformity therewith; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Law and Councilmember Jones

**Council President Connally referred Ordinance No. O2013-0018 to the Public Works, Procurement & Contracting Committee.**

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

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2013-0015.**

- a) O2013-0015: An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/County Sheriff and Director of Law **and Councilmember Germana**

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

**On a motion by Mr. Gallagher with a second by Mr. Germana, Ordinance No. O2013-0015 was considered and adopted by unanimous vote.**

23. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Greenspan reported that the Committee of the Whole will meet on Wednesday, July 24, 2013 at 9:00 a.m.**

**Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, August 5, 2013 at 1:00 p.m.**

**Mr. Schron reported that the Economic Development & Planning Committee will meet on Monday, July 29, 2013 at 9:00 a.m. and tentatively on Monday, August 5, 2013 at 9:00 a.m.**

**Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, August 6, 2013 at 10:00 a.m.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, August 7, 2013 at 11:00 a.m.**

**Mr. Rogers reported that the Education, Environment & Sustainability Committee will meet on Wednesday, July 31, 2013 at 3:00 p.m.**

**Ms. Conwell reported that the Health, Human Services & Aging Committee will meet on Wednesday, August 7, 2013 at 1:00 a.m.**



24. MISCELLANEOUS BUSINESS

**There was no miscellaneous business.**

25. PUBLIC COMMENT UNRELATED TO AGENDA

**There was no public comment.**

**[Note: Item No. 17 was taken out of order and considered after Item No. 25 on the agenda.]**

26. ADJOURNMENT

**With no further business to discuss, the meeting was adjourned by Council President Connally at 6:52 p.m., without objection.**



## MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING  
WEDNESDAY, JULY 24, 2013  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
9:00 AM

### 1. CALL TO ORDER

**Due to the nature of the items referred to Committee, Council President Connally requested that Councilmember Greenspan, Chair of the Council Operations and Intergovernmental Relations Committee, preside over the meeting. Chairman Greenspan then called the meeting to order at 9:07 a.m.**

### 2. ROLL CALL

**Chairman Greenspan asked Clerk Schmotzer to call the roll. Councilmembers Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers and Greenspan were in attendance and a quorum was determined. Councilmembers Simon and Connally entered the meeting sometime after the roll call was taken.**

### 3. PUBLIC COMMENT RELATED TO AGENDA

**There was no public comment related to the agenda.**

### 4. DISCUSSION

- a) BC2013-215: An amendment to Contract No. CE1200373-01 with CBRE, Inc. for owner representation services for the Real Estate Portfolio Consolidation for the period 6/4/2012 - 6/3/2015 for additional funds in the amount of \$33,500.00.

Sponsor: Department of Public Works

**Ms. Bonnie Teeuwen, Director of Public Works, addressed Council regarding Board of Control item No. BC2013-215. Discussion ensued. Councilmembers asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.**

**5. MATTERS REFERRED TO COMMITTEE**

- a) R2013-0158: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, changing the appointing authority, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Conwell and Miller

**Councilmembers Miller and Conwell and Mr. Jim Boyle, Special Assistant to County Executive FitzGerald and Clerk of the Charter Review Commission, addressed Council regarding Resolution No. R2013-0158. Discussion ensued.**

**On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2013-0158 was considered and approved by majority roll-call vote to be referred to the full Council agenda for second reading, with Councilmembers Miller, Germana, Schron, Conwell, Jones, Rogers, Simon and Greenspan voting in the affirmative and Councilmembers Brady and Gallagher casting dissenting votes.**

- b) R2013-0159: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Miller

**Councilmember Miller addressed Council regarding Resolution No. R2013-0159. Discussion ensued.**

**On a motion by Mr. Greenspan with a second by Mr. Rogers, Resolution No. R2013-0159 was considered and approved by unanimous roll-call vote to be referred to the full Council agenda for second reading.**

- c) R2013-0160: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify

the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon and Miller

**Councilmembers Simon and Miller; Mr. Majeed Makhoulf, Director of Law; Mr. Tim McGinty, County Prosecutor and Mr. Gary Johnson, representing the Office of the Prosecutor, addressed Council regarding Resolution No. R2013-0160. Discussion ensued.**

**On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2013-0160 was considered and approved by unanimous roll-call vote to be referred to the full Council agenda for second reading.**

- d) R2013-0161: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Greenspan

**Councilmember Greenspan addressed Council regarding Resolution No. R2013-0161. Discussion ensued.**

**On a motion by Mr. Greenspan with a second by Ms. Conwell, Resolution No. R2013-0161 was considered and approved by majority roll-call vote to be referred to the full Council agenda for second reading, with Councilmembers Miller, Germana, Schron, Conwell, Jones, Rogers, Simon and Greenspan voting in the affirmative and Councilmembers Brady and Gallagher casting dissenting votes.**

- e) R2013-0162: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Greenspan and Miller

**Councilmember Miller and Mr. Boyle addressed Council regarding Resolution No. R2013-0162. Discussion ensued.**

**On a motion by Mr. Greenspan with a second by Mr. Schron, Resolution No. R2013-0162 was considered and approved by majority roll-call vote to be referred to the**

**full Council agenda for second reading, with Councilmembers Miller, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon and Greenspan voting in the affirmative and Councilmember Brady casting the only dissenting vote.**

- f) R2013-0163: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article VI, Section 6.03 of the Charter of Cuyahoga County establishing the Investment Advisory Committee in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Greenspan

**Councilmember Greenspan addressed Council regarding Resolution No. R2013-0163. Discussion ensued. A motion was then made by Mr. Schron and seconded by Mr. Greenspan to amend Section 6.03(1) to read as follows:**

*Establishment and Composition. There shall be an Investment Advisory Committee which shall consist of the County Executive or his or her appointee, a member of the County Council appointed by the President of Council, the Prosecuting Attorney or his appointee, and the County Treasurer shall serve as ex-officio non-voting member if not appointed.*

**The motion failed by a roll-call vote of 4 yeas and 7 nays with Councilmembers Miller, Schron, Conwell and Greenspan voting in the affirmative and Councilmembers Brady, Germana, Gallagher, Jones, Rogers, Simon and Connally casting dissenting votes.**

**A motion was then made by Mr. Greenspan and seconded by Mr. Schron to refer Resolution No. R2013-0163 to the full Council agenda for second reading. The motion failed by a roll-call vote of 3 yeas and 8 nays with Councilmembers Schron, Conwell and Greenspan voting in the affirmative and Councilmembers Miller, Brady, Germana, Gallagher, Jones, Rogers, Simon and Connally casting dissenting votes.**

- g) R2013-0164: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan and Schron

**Councilmembers Schron and Greenspan addressed Council regarding Resolution No. R2013-0164. Discussion ensued.**

**A short recess was taken after which Chairman Greenspan reconvened the meeting.**

A motion was made by Mr. Schron, seconded by Mr. Greenspan and approved by unanimous roll-call vote to amend Section 14.01 as follows:

*There shall be an Agency of Inspector General. The County Council shall establish, by ordinance, the powers and duties of the Agency, the manner of the Inspector General's appointment, and the Agency's funding to ensure its independence in carrying out its powers and duties.*

On a motion by Mr. Schron with a second by Mr. Greenspan, Resolution No. R2013-0164 was considered and approved by majority roll-call vote to be referred to the full Council agenda for second reading, with Councilmembers Miller, Germana, Schron, Conwell, Jones, Rogers, Simon and Greenspan voting in the affirmative and Councilmembers Brady, Gallagher and Connally casting dissenting votes.

6. MISCELLANEOUS BUSINESS

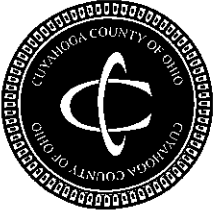
**There was no miscellaneous business.**

7. PUBLIC COMMENT UNRELATED TO AGENDA

**Mr. William Tarter, representing the Charter Review Commission, provided insight into the number of charter amendments recommended by the Charter Review Commission for the ballot and urged that all recommendations be considered for placement on the ballot.**

8. ADJOURNMENT

**With no further business to discuss, the meeting was adjourned at 12:54 p.m., without objection.**



**EDWARD FITZGERALD**  
Cuyahoga County Executive

July 25, 2013

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

Dear Council President Connally,

The attached document lists the items that County Executive Edward FitzGerald approved and/or signed in June 2013. This lists includes all contracts, awards, purchases or sales executed and all grants or loans made or received for more than \$50,000, in addition to all change orders or amendments in which the total additions exceeded \$50,000.

Please contact me at (216) 698-2064 if you would like additional information on any of these items.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Lindy Burt". The signature is fluid and cursive, with the first name being the most prominent.

Lindy Burt  
Special Assistant

	Requestor	Item
1	Common Pleas Court/ Corrections Planning Board	Submitting an amendment to Agreement No. AG1200034-03, 06 with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for residential substance abuse treatment services for the period 1/1/2012 - 12/31/2014 for additional funds in the amount of \$300,135.00.
2	Common Pleas Court/ Corrections Planning Board	Submitting an agreement with 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 in connection with the FY2013 Community Corrections Act Grant Program for the period 7/1/2013 - 6/30/2014.
3	Common Pleas Court/ Corrections Planning Board	Recommending an award on RQ27755 and enter into an agreement with 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 for the period 7/1/2013 - 6/30/2014.
4	Common Pleas Court/ Corrections Planning Board	Submitting an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount of \$86,000.00 for the Mental Health Program for the period 7/1/2013 - 6/30/2014.
5	Common Pleas Court/ Corrections Planning Board	Submitting various grant agreements with Ohio Department of Rehabilitation and Corrections for community correction activities in connection with the Community Corrections Act grant for the period 7/1/2013 - 6/30/2014: in the amount of \$3,651,409.00 for the 407 Non Residential Felony grant program; in the amount of \$2,026,099.00 for the 408 Non-Residential Misdemeanant grant program
6	Development	Requesting approval of an Economic Development Loan to Petrsek Properties, LLC in the amount not-to-exceed \$240,000 and authorizing the Director of Development or Deputy Chief of Staff for Development to execute the documents, subordination agreements and other instruments and agreements, with such parties that may be required or appropriate to effectuate the loan.
7	Health and Human Services	Submitting an amendment to Contract No. CE1100595-01 with Enterprise Community Partners, Inc. for Earned Income Tax Credit, Child and Dependent Care Tax Credit Program services and tax preparation assistance to low and moderate income families for the period 7/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$250,000.00.
8	Health and Human Services/ Community Initiatives Division/ Family and Children First Council	Recommending an award on RQ27063 to Youth Opportunities Unlimited in the amount of \$215,000.00 for youth employment/internship program management services for the period 5/1/2013 - 4/30/2014 .
9	Health and Human Services/ Cuyahoga Job and Family Services	Recommending an award on RQ26709 and enter into an agreement with The MetroHealth System in the amount of \$250,000.00 for reimbursement of medicaid non-emergency transportation services for the period 7/1/2013 - 6/3/2014.
10	Information Technology	Recommending an award on RQ25014 and enter into a state contract with RICOH USA, Inc., in the amount not-to-exceed \$158,517.00 for maintenance on 2-IBM 4100 printers for the period 12/1/2012 - 11/30/2015.
11	Information Technology	Submitting an amendment to Contract No. CE1200477-01 with Unify Solutions, Inc. for consultant services for SAP Human Capital Management professional support services for the period 7/2/2012 - 7/1/2013 to extend the time period to 6/30/2015 and for additional funds in the amount not-to-exceed \$420,000.00.
12	Information Technology	Submitting an amendment to Contract No. CE1000151-03 with Cuyahoga Community College District for information technology training classes for various County departments for the period 1/1/2010 - 12/31/2014 for additional funds in the amount of \$90,000.00
13	Juvenile Court	Submitting an amendment to Contract No. CE1200204-0 with B.I. Incorporated for electronic monitoring services for the period 1/1/2012 - 12/31/2013, to change the terms, effective 7/1/2013 and for additional funds in the amount of \$247,500.00.
14	Juvenile Court	Submitting an amendment to Contract No. CE1000723-02 with Applewood Centers Inc. for the Multi-Systemic Therapy and Multi-Systemic Therapy - Problem Sexual Behavior Programs for the period 7/1/2010 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount of \$432,984.31.



	Requestor	Item
15	Juvenile Court	Submitting an amendment to contract No. CE1200677-01 with Catholic Charities Corporation fka Catholic Charities Services Corporation dba Parmadale Family Services, Inc. for the period 12/1/2012 - 6/30/2013 for evidence-based anger management group therapy services, for additional funds in the amount not-to-exceed \$59,062.50 and to extend the time period to 6/30/2014.
16	Procurement & Diversity	Office of Procurement & Diversity, submitting an amendment to Contract No. CE1100368-07 with Staples Contract & Commercial, Inc. for office supplies for various County departments for the period 7/1/2011 - 6/30/2013 to extend the time period to 9/30/2013 and for additional funds in the amount of \$210,000.00.
17	Procurement & Diversity	On behalf of the Medical Examiner, recommending an award on RQ27019 to Life Technologies Corporation, sole source, in the amount not-to-exceed \$190,348.92 for 1-AB3500 Genetic Analyzer HID; 1-AB9700 PCR System and 5-GeneMapper Licenses IDX for the period 5/1/2013 - 8/1/2013.
18	Procurement & Diversity	On behalf of Department of Public Safety and Justice Services, recommending an award on RQ27743 to Motorola Solutions, Inc. in the amount of \$158,822.30 for 62- Motorola APX 6000 Radios and 62- chargers.
19	Procurement & Diversity	On behalf of Public works, recommending an award on RQ26646 and enter into a contract with Joshen Paper and Packaging Co. (11-2) in the amount not-to-exceed \$240,000.00 for chemical supplies for various County buildings for the period 5/1/2013 - 4/30/2015. (Deputy Chief Approval No. DC2013-60 - authority to advertise for bids).
20	Procurement & Diversity	On behalf of the Department of Information Technology, recommending an award on RQ27618 with Smart Solutions, Inc. in the amount of \$81,683.00 for purchase of 100- HP Elite Book Model 2170P Laptops and 100- HP Officejet Model 4620E Printers.
21	Procurement & Diversity	On behalf of the Department of Information Technology, recommending an award on RQ27433 with Integrated Precision Systems, Inc. in the amount of \$63,666.10 for the purchase of hardware and software for the installation of 20 security cameras.
22	Public Safety and Justice Services	Recommending an award on RQ27560 and enter into a contract with CDI-Infrastructure, LLC dba L. R. Kimball in the amount not-to-exceed \$410,740.00 for the upgrade to the new Next Generation 9-1-1 Public Safety Answering System for the period 6/1/2013 - 5/31/2015.
23	Public Safety and Justice Services	Public Safety Grants on RQ27005 to QSA Global, Inc. in the amount of \$64,415.17 for 1- Portable Open Vision OVLTS70 X-Ray System and accessories (GSA Contract No. GS-07F-0280T).
24	Public Safety and Justice Services/Office of Emergency Management	Recommending an award on RQ26274, and enter into a contract with GovDelivery, Inc. in the amount not-to-exceed \$179,990.00 for a Mass Notification System for the period 6/10/2013 - 6/10/2015.
25	Public Safety and Justice Services/Office of Emergency Management	Recommending an award on RQ26283 and enter into a contract with Identiphoto Company, Ltd. in the amount not-to-exceed \$143,000.00 for Countywide Credentialing System for volunteers and first responders for the period 5/1/2013 - 6/30/2013.
26	Public Safety and Justice Services/Public Safety Grants	Submitting an agreement with the City of Cleveland valued in the amount of \$60,906.04 for the purchase of equipment for the FY2008 Urban Area Security Initiative Grant Program for the period 9/1/2008 - 8/31/2011.
27	Public Safety and Justice Services/Witness/Victim	Recommending to amend Board of Control Approval No. BC2013-98, dated 4/8/2013 which authorized the approval to apply for and accept grant funds from the U.S. Department of Justice, Office on Violence Against Women in the amount of \$192,447.00 for the FY2012 Domestic Violence Homicide Prevention Demonstration Initiative, by changing the time period from 5/1/2013 - 4/30/2014 to 4/1/2013 - 3/31/2014.
28	Public Safety and Justice Services/Witness/Victim	Requesting approval to apply for and accept grant funds from Ohio Attorney General/Crime Victims Assistance and Prevention Section for various projects in connection with the Victims of Crime Act and State Victims Assistance Act Grant Programs for the period 10/1/2013 - 9/30/2014: A) in the amount \$188,399.00 for the Felony Coordinator Program; and B) in the amount of \$15,030.00 for the Juvenile Court Advocacy Program.
29	Public Safety and Justice Services/Witness/Victim	Submitting a contract with Domestic Violence & Child Advocacy Center in the amount not-to-exceed \$172,825.00 for the Domestic Violence Homicide Prevention Demonstration Initiative for the period 4/1/2013 - 3/31/2014.

	Requestor	Item
30	Public Works	Submitting an amendment to Contract No. CE0500565-05 with SG USA LTD c/o Scott Kenney, Assistant Vice President of McKinley Inc. for lease of space located at 5398 1/2 Northfield Road, Maple Heights, for the Southeast Neighborhood Family Service Center for use by Cuyahoga Job and Family Services for the period 6/1/2005 - 5/31/2015, to assign the interest to JPMC 2001-A Southgate, LLC c/o Capital Services, Inc., effective 12/29/2011, to change the scope of services, effective 6/1/2012 - 5/31/2014 and for additional funds in the amount not-to-exceed \$127,476.00.
31	Public Works	Department of Public Works, recommending an award on RQ25982 and enter into a contract with Professional Service Industries, Inc. in the amount not-to-exceed \$250,000.00 for construction material testing services for the period 7/1/2013 - 6/30/2016.
32	Public Works	Public Works, recommending an award on RQ24426 and enter into a contract with The Superlative Group, Inc. in the amount not-to-exceed \$260,000.00 for consultant services for naming rights and corporate sponsorship marketing program in connection with the Medical Mart/Convention Center project for the period 6/1/2013 - 5/31/2015.
33	Public Works	Submitting a contract with Greater Cleveland Partnership in the amount not-to-exceed \$80,000.00 for the Build Up Greater Cleveland Program for the period 1/1/2012 - 12/31/2013.
34	Public Works	Submitting a Real Estate Agreement with Ohio Department of Transportation for right-of-way acquisition costs in connection with the construction of a grade separation at Stearns Road and Norfolk Southern Railroad in Olmsted Township. Funding Source: \$1,985,196.00 - Federal Earmark ID OH213 Funds allocated to RW at 80%; \$496,299.00 - Local Share Federal Earmark ID OH213 RW at 20%; \$ 968,505.00 - Local Share at 100%; Total Project Cost = \$ 3,450,000.
35	Public Works	A) Submitting an agreement of cooperation with the City of Cleveland for rehabilitation of East 49th Street Bridge No. 00.54 over abandon railroad tracks. Funding Source: 75% with County Road and Bridge Fund and 25% from Issue I. The anticipated cost of the project is \$1,940,000; B) Submitting an agreement of cooperation with the City of Strongsville for replacement of Marks Road Culvert 01.03 tracks. Funding Source: 80% with County Road and Bridge Fund (\$101,600) and 20% from the City of Strongsville (\$25,400); C) Submitting an agreement of cooperation with the Village of Moreland Hills for the resurfacing of Chagrin Boulevard from Lander Road to South Lane. Funding Source: 100% County Road and Bridge Funds; D) Submitting an agreement of cooperation with City of Broadview Heights for the replacement of Sprague Road Culvert No. 47. Funding Source: The project is funded at a maximum cost of \$15,000 with County Road and Bridge Fund, \$35,000 by the City of Broadview Heights, \$35,000 by the City of Seven Hills and \$85,000 from Issue I.
36	Workforce Development	Submitting amendments to contracts and agreements with various providers for Workforce Investment Act In-School and Out-of-School Youth Training for the period 9/1/2011 - 6/30/2013 to change the scope of services, effective 4/1/2013 and for additional funds: No. CE1100660-01 with Baldwin-Wallace College in the amount of \$17,857.00; No. CE1100667-01 with Guidestone fka Berea Children's Home in the amount of \$100,000.00; No. CE1100669-01 with Lutheran Metropolitan Ministry in the amount of \$100,000.00; No. CE1100700-01 with Towards Employment, Incorporated in the amount of \$50,000.00; No. AG1100140-01 with Cuyahoga Community College District in the amount of \$76,000.00; No. AG1100141-01 with Mayfield City School District in the amount of \$6,143.00; No. AG1100142-01 with Cuyahoga Community College District in the amount of \$50,000.00.

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2013-0025

Sponsored by: Councilmembers Connally and Conwell

**A Motion confirming the County Executive's appointment of David Crampton to serve on the Cuyahoga County Board of Developmental Disabilities, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, pursuant to Ohio Revised Code Section 5126.02, the County of Cuyahoga shall have its own county board of developmental disabilities; and,

WHEREAS, pursuant to the provisions in Ohio Revised Code Section 5126.021, the Cuyahoga County Board of Developmental Disabilities consists of seven members. Five members are appointed by the County and two members are appointed by the Probate Court; and,

WHEREAS, members appointed to fill a vacancy of the Cuyahoga County Board of Developmental Disabilities shall serve a term of four years; and,

WHEREAS, the Cuyahoga County 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, the County Executive has nominated David Crampton for appointment to the Cuyahoga County Board of Developmental Disabilities.

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 hereby confirms the appointment of David Crampton, to serve on the Cuyahoga County Board of





**EDWARD FITZGERALD**  
Cuyahoga County Executive

July 22, 2013

C. Ellen Connally, President  
Cuyahoga County Council  
Cuyahoga County Administration Building  
1219 Ontario Street, 4<sup>th</sup> Floor  
Cleveland, OH 44113

Re: Cuyahoga County Board of Developmental Disabilities

Dear President Connally:

Pursuant to the provisions found in Ohio Revised Code Section 5126, I submit the following nominee to serve on the Cuyahoga County Board of Developmental Disabilities:

- David Crampton

The Board of Developmental Disabilities is composed of seven members. Five of the members are appointed by the County and two are appointed by the Probate Court. The members serve four-year terms and serve without compensation. This Board helps to establish policies to assist children and adults with mental retardation and other disabilities so they can live, learn, work and play in our community.

I have attached background information regarding Mr. Crampton as well as a mandatory Declaration Form. As you can read, he has extensive background in the education field and has worked closely with the county's Division of Children and Family Services. This knowledge will be of great use to this body.

Should you or any of your colleagues have any questions, please feel free to contact my Special Assistant, James Boyle at 216-698-2089.

Sincerely,

Edward FitzGerald  
Cuyahoga County Executive

## James Boyle - Boards and Commissions Form - Office of Boards and Commissions

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**From:** <donotreply@cuyahogacounty.us>  
**To:** <Jboyle@cuyahogacounty.us>  
**Date:** 7/3/2013 10:50 AM  
**Subject:** Boards and Commissions Form - Office of Boards and Commissions

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A Web site user submitted the Boards and Commissions Form with the following information:

Last Name : Crampton

First Name : David

City : Shaker Heights

State : OH

Zip : 44120

Phone Number : 2163686680

Email Address : david.crampton@case.edu

Please select the boards/commissions/councils you would like to be considered for. : Board of Developmental Disabilities -

Why are you interested in serving on this board/commission/council? : As an Associate Professor of Social Work, I am dedicated to helping my students and other community members to improve services for vulnerable people. I would welcome an opportunity to offer my knowledge and skills to the Board of Developmental Disabilities.

What qualities do you possess that would make you a good candidate to serve on this board/commission/council? : I have substantive knowledge of human services and how to evaluate human services. For example, I have extensive research experience, including program evaluation experience. I teach social work students, many of whom work in this field. I work closely with the county's Division of Children and Family Services and also Invest in Children.

What professional experience do you have that would make you a good candidate to serve on this board/commission/council? : As stated above, I have substantive knowledge of human services and how to evaluate human services. For example, I have extensive research experience, including program evaluation experience. I teach social work students, many of whom work in this field. I work closely with the county's Division of Children and Family Services and also Invest in Children.

Are there any relationships, including but not limited to business or family relationships, that may be perceived as creating a conflict of interest for your service on the Board and/or Commission for which you have applied? If so, please detail the circumstances: : none that I can think of.

**Declaration of Applicant**  
**Pursuant to ORC Section 5126.024**

I, David Crampton am seeking appointment to the Cuyahoga County Board of Developmental Disabilities. Pursuant to applicable law, including but not limited to Ohio Revised Code Section 5126.024, I submit the following declarations:

1. I am a citizen of the United States.
2. I reside in Cuyahoga County.
3. I am interested and knowledgeable in the field of mental retardation and other allied fields.
4. I have reviewed Ohio Revised Code Section 5126.023 (copy attached) and assert that none of the circumstances described in this section exists that bar me from serving on the Cuyahoga County Board of Developmental Disabilities.
5. Neither I nor any immediate family member has an ownership interest in or is under contract with an agency contracting with the Cuyahoga County Board of Developmental Disabilities.
6. I do  do not  have an immediate family member eligible to receive services provided by the Cuyahoga County Board of Developmental Disabilities. (check one).

7-4-13  
DATE

  
SIGNATURE

David Crampton  
PRINTED NAME

**5126.024 Declaration of eligibility prior to appointment to board .**

(A) No individual may be appointed or reappointed to a county board of developmental disabilities unless the individual, before the appointment or reappointment, provides to the appointing authority a written declaration specifying both of the following:

(1) That no circumstance described in section 5126.023 of the Revised Code exists that bars the individual from serving on the county board;

(2) Whether the individual or an immediate family member of the individual has an ownership interest in or is under contract with an agency contracting with the county board, and, if such an ownership interest or contract exists, the identity of the agency and the nature of the relationship to that agency.

(B) On appointment or reappointment of an individual to the county board, the appointing authority shall provide a copy of the individual's declaration to the superintendent of the county board. The declaration is a public record for the purpose of section 149.43 of the Revised Code.

Amended by 128th General Assembly.127,SB 79, §2, eff. 10/6/2009.

**Prior History:** (Effective Date: 2005 SB10 09-05-2005; 2006 HB699 03-29-2007)



# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2013-0022

**Sponsored by: Councilmembers Connally and Conwell**

**A Motion confirming the County Executive's appointment of various individuals to serve on the Cuyahoga County Debarment Review Board, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, on December 11, 2012, Cuyahoga County Council enacted Ordinance No. O2012-0026 which established the Cuyahoga County Debarment Law and Procedures and Review Board; and,

WHEREAS, the Cuyahoga County Debarment Board is set forth and codified in Cuyahoga County Code Section 205.06; and,

WHEREAS, the Cuyahoga County Debarment Law referencing the Cuyahoga County Debarment Review Board is now codified in Chapter 505 of the Cuyahoga County Code; and,

WHEREAS, the Cuyahoga County Debarment Review Board reviews decisions rendered by the Cuyahoga County Inspector General concerning contractors who seek to perform work on behalf of Cuyahoga County; and,

WHEREAS, pursuant to the Cuyahoga County Code Section 205.06, the Cuyahoga County Debarment Review Board consists of five (5) members: the Cuyahoga County Fiscal Officer, a member of the Cuyahoga County Council, and three residents of Cuyahoga County appointed by the County Executive and confirmed by the Cuyahoga County Council; and,

WHEREAS, members of the Cuyahoga County Debarment Review Board who are appointed by the County Executive and confirmed by the Cuyahoga County Council shall be appointed to serve a five (5) year staggered term; and,

WHEREAS, pursuant to the Cuyahoga County Code Section 205.06, "of the terms for the initial appointees, one shall be appointed for a term of five years commencing on February 1, 2013, and expiring on January 31, 2018, one shall be appointed for a term of four years commencing on February 1, 2013, and expiring on January 31, 2017, and one shall be appointed for a term of three years commencing on February 1, 2013, and expiring on January 31, 2016"; and,

WHEREAS, the Cuyahoga County 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, the County Executive has nominated the following individuals to serve on the Cuyahoga County Debarment Review Board:

- a) Brandon D. Cox for a term commencing February 1, 2013, and expiring January 31, 2018;
- b) Roland J. DeMonte for a term commencing February 1, 2013, and expiring January 31, 2017;
- c) Evan T. Byron for a term commencing February 1, 2013, and expiring January 31, 2016; 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 hereby confirms the appointment of the following individuals to serve on the Cuyahoga County Debarment Review Board:

- a) Brandon D. Cox for a term commencing February 1, 2013, and expiring January 31, 2018;
- b) Roland J. DeMonte for a term commencing February 1, 2013, and expiring January 31, 2017;
- d) Evan T. Byron for a term commencing February 1, 2013, and expiring January 31, 2016.

**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: July 23, 2013

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

Journal CC011  
August 13, 2013

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2013-0023

**Sponsored by: Councilmembers Connally and Conwell**

**A Motion confirming the County Executive’s appointment of various individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, Ohio Revised Code Section 340.02 establishes the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County; and,

WHEREAS, the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County is responsible for the planning, funding and monitoring of public mental health and alcohol and other drug addiction services delivered to the residents of Cuyahoga County; and,

WHEREAS, pursuant to the Ohio Revised Code Section 340.02, the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County shall consist of eighteen (18) appointed members; and,

WHEREAS, members of the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County shall be appointed to serve a four year term; and,

WHEREAS, the Cuyahoga County 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, the County Executive has nominated the following individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County:

- a) Steve Killpack to fill a vacancy in an unexpired term ending June 30, 2016;
- b) Eileen Saffran to fill a vacancy in an expired term ending June 30, 2017; 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



Journal CC011  
August 13, 2013

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2013-0024

**Sponsored by: Councilmembers Connally and Conwell**

**A Motion confirming the County Executive's appointment of various individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the goal of the Regional HIV Health Services Planning Council is to identify HIV positive individuals and to link them into appropriate care and living situations to improve health outcomes comprised of the Transitional Grant Area of Ashtabula, Cuyahoga, Geauga, Lake, Lorain and Medina Counties; and,

WHEREAS, the Cuyahoga Regional HIV Health Services Planning Council recommended the nominees based on satisfying the Membership guidelines as outlined in the 2009 Ryan White Treatment Extension Act, Section 2602, matching Membership positions that were needed on the Planning Council, and those who acknowledged the time requirements for Membership; and,

WHEREAS the Regional HIV Health Services Planning Council is a thirty-five (35) member body serving three (3) year staggered terms; and;

WHEREAS, the Cuyahoga County 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, the County Executive has nominated the following individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, commencing immediately:

- a) Gwendolyn Bragg to fill a vacancy for a term expiring July 2016
- b) Susan DiCocco to fill a vacancy for a term expiring July 2016
- c) Melissa Federman to fill a vacancy for a term expiring July 2016
- d) Jefferrey Hall to fill a vacancy for a term expiring July 2016

- e) Richard Jason to fill a vacancy for a term expiring July 2016
- f) Bryan Jones to fill a vacancy for a term expiring July 2016
- g) Charles Mitchell to fill a vacancy for a term expiring July 2016
- h) James Stevenson to fill a vacancy for a term expiring July 2016
- i) Leisha Yarbrough-Franklin to fill a vacancy for a term expiring July 2016
- j) Kimberlin Dennis as Consumer Co-Chair for a term expiring July 2016;  
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 hereby confirms the appointment of the following individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, commencing immediately:

- a) Gwendolyn Bragg to fill a vacancy for a term expiring July 2016
- b) Susan DiCocco to fill a vacancy for a term expiring July 2016
- c) Melissa Federman to fill a vacancy for a term expiring July 2016
- d) Jefferrey Hall to fill a vacancy for a term expiring July 2016
- e) Richard Jason to fill a vacancy for a term expiring July 2016
- f) Bryan Jones to fill a vacancy for a term expiring July 2016
- g) Charles Mitchell to fill a vacancy for a term expiring July 2016
- h) James Stevenson to fill a vacancy for a term expiring July 2016
- i) Leisha Yarbrough-Franklin to fill a vacancy for a term expiring July 2016
- j) Kimberlin Dennis as Consumer Co-Chair for a term expiring July 2016.



**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: July 23, 2013

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

Journal CC011

August 13, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0158

Sponsored by: <b>Councilmembers Conwell and Miller</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, changing the appointing authority, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that “Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution”; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the “legislative authority... of any county may by a two-thirds vote of its members” submit by resolution charter amendments to the electors of the county “to be voted upon at the first general election occurring not sooner than sixty days after their submission”; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to rename the “Human Resource Commission” the “Personnel Review Commission,” to change the appointing authority, to clarify the Personnel Review Commission’s administrative powers and duties, and to formally establish an office of the Director of Human Resources.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Sections 2.03(12) and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

## SECTION 2.03 POWERS AND DUTIES.

(12) To conduct collective bargaining ~~regarding wages and compensatory benefits with any recognized employee bargaining unit in conjunction with the Human Resource Commission,~~ and, administer uniform personnel procedures for all County employees, **and to provide quarterly reports to the Personnel Review Commission regarding the County's collective bargaining strategies and approved contracts.**

## SECTION 9.01 ~~HUMAN RESOURCE COMMISSION~~PERSONNEL REVIEW COMMISSION.

**There shall be a Personnel Review Commission.** ~~The County Executive, subject to confirmation by the Council,~~**Council** shall appoint the members of **the Personnel Review Commission** ~~Human Resource Commission~~, consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations. No more than two of the three members of the **Personnel Review Commission** ~~Human Resource Commission~~ shall be members of the same political party. **The Personnel Review Commission is authorized to employ persons in the service of the County.** ~~The Personnel Review Commission~~ shall be responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness. The County's human resources policies and systems, including ethics policies for County employees, shall be established by ordinance and shall be administered in such manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry. **The Personnel Review Commission shall submit a recommendation regarding any ordinance concerning County personnel policies prior to passage by County Council. In the event the Personnel Review Commission does not endorse an ordinance, the Personnel Review Commission may provide a Statement of Non-Endorsement to the County Council.**

The term of office of each member of the **Personnel Review Commission** ~~Human Resource Commission~~ shall be six years. The terms shall be staggered so that no term expires within less than two years of the expiration of any other term. ~~The County Executive~~ **Council** shall fill a vacancy occurring for an unexpired term in the same manner as a regular appointment.

Of the terms of office for the initial appointees, one shall be appointed for a term of six years, one shall be appointed for a term of four years and one shall be appointed for a term of two years. The County Executive shall nominate the initial appointees to the **Personnel Review Commission** ~~Human Resource Commission~~ not later than March 1, 2011 and thereafter within thirty days after the occurrence of a vacancy. **The current members of the Personnel Review Commission at the time of the adoption of this charter amendment shall serve until their existing term expires and may be subject to be reappointed by Council.**

No member of the **Personnel Review Commission** ~~Human Resource Commission~~ shall hold any other public office or public employment with the County. The Council shall

establish a per diem compensation for the members of the **Personnel Review Commission**~~Human Resource Commission~~.

The ~~County Executive~~**Council** may remove any member of the **Personnel Review Commission**~~Human Resource Commission~~ for inefficiency, neglect of duty or malfeasance in office after notice and public hearing before the Council, provided that ~~eight~~ **two-thirds of the** members of the Council concur.

#### SECTION 9.02 AUTHORITY OF ~~HUMAN RESOURCE COMMISSION~~**PERSONNEL REVIEW COMMISSION**.

The **Personnel Review Commission**~~Human Resource Commission~~ shall have:

(1) Responsibility for the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review, **including those of classified employees who work for the County Executive, Prosecuting Attorney, County Planning Commission, and the County Public Defender;**

(2) Responsibility for administration of ~~countywide~~ compliance with federal and state laws regarding personnel matters **within the County Executive's organization and departments** ~~which the County is the reporting unit and for maintenance of records required by such laws;~~

(3) **For the County Executive's organization and departments,** authority to ensure:

- Pay equity for like positions;
- Standardization of benefits;
- Approval of qualifications;
- Consistent discipline;
- Training of management in personnel practices;
- Training of employees in job functions;
- Training for total quality management;
- Consistent administration of performance management system;
- Coordination of recruitment;
- Compliance with ethics resolutions or ordinances as passed by the Council;

(4) **Responsibility for creation of rules and policies related to the Personnel Review Commission's authority set forth in this Charter;**

(45) Such other functions as may be deemed necessary by the Council for the **Personnel Review Commission**~~Human Resource Commission~~ to carry out its mission and purpose.

#### SECTION 9.03 CLASSIFICATION.

The **Personnel Review Commission**~~Human Resource Commission~~ shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification. The classification system shall include the employees of the offices listed in Article V of this Charter, as well as those of the County Executive and County Council except those employees in positions designated as unclassified by general law. The classification system shall, to the extent permitted by the Ohio Constitution, include

the **classified** employees of all offices, officers, agencies, departments, boards, commissions or other public bodies, other than separate political subdivisions, that are supported in whole or in part from taxes levied, or other financial assistance provided, by the County.

#### SECTION 9.04 APPOINTING AUTHORITIES.

The County Executive and the officers, offices, agencies, departments, boards and commissions and other public bodies, who under this Charter or under general law are authorized to employ persons in the service of the County, shall be appointing authorities. Persons interested in employment with the County shall make application to the Department of Human Resources. No appointing authority shall appoint a person to fill a vacancy in the classified service who does not meet the qualifications for that position approved by the **Personnel Review Commission**~~Human Resource Commission~~. All Appointing Authorities shall strive in making appointments in both the classified and the unclassified service to ensure that the diversity of the population of the County is reflected in the persons who are employed by the County.

#### SECTION 9.05 DEPARTMENT OF HUMAN RESOURCES.

There shall be a Department of Human Resources, which shall, **as part of its duties**, ~~serve under the direction of and~~ perform such functions on behalf of the **Personnel Review Commission**~~Human Resource Commission~~ as the Commission shall **delegate** ~~prescribe~~. **The Department of Human Resources shall provide regular reports to the Personnel Review Commission regarding the Department's performance of such delegated functions in accordance with timeframes established by the Personnel Review Commission.**

#### SECTION 9.06 DIRECTOR OF HUMAN RESOURCES: POWERS, DUTIES AND QUALIFICATIONS.

**The Director of Human Resources shall be appointed by the Executive, subject to confirmation by Council, and shall serve at the pleasure of the County Executive. The Director of Human Resources shall manage County employment matters including hiring, firing, discipline, layoffs, training, benefits, time and attendance, HR compliance, and drafting policies and procedures. The Director shall be responsible for offering support to the law department on all labor and employment matters. The Director of Human Resources shall have a minimum of five years of experience advising or working in the public sector, experience in employment related matters, management experience or related relevant experience.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Sections 2.03(12) and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.03(12) Powers and Duties, and Article IX of the Charter of the County of Cuyahoga be amended to rename the “Human Resource Commission” the “Personnel Review Commission,” to provide that the County Council shall have the authority to appoint and remove members of the Personnel Review Commission, to clarify the Personnel Review Commission’s administrative powers and duties, and to formally establish an office of the Director of Human Resources?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.03(12) and Article IX, Sections 9.01 through 9.05 and the addition of 9.06 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 23, 2013

Committee(s) Assigned: Committee of the Whole

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0159

Sponsored by: <b>Councilmembers Connally and Miller</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that “Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution”; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the “legislative authority... of any county may by a two-thirds vote of its members” submit by resolution charter amendments to the electors of the county “to be voted upon at the first general election occurring not sooner than sixty days after their submission”; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to extend the term during which Council may act on Executive appointments, and add an interim appointment provision.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Sections 2.03(2) of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

#### **SECTION 2.03 POWERS AND DUTIES.**

(2) To appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities as are or may hereafter be created by or pursuant to this Charter, and such officers and members of boards, agencies, commissions and authorities as are provided by general law to be appointed by boards of county commissioners. If the Council shall fail to act on the question of such an appointment by the County Executive within ~~thirty~~**sixty** days of the date that the County Executive submits such appointment to the Council for its



consideration, that appointment shall be deemed confirmed without further action by the Council. The County Executive and the Council shall use good faith efforts to reflect the diversity of people of the County in appointing such officers and members.

**The County Executive may appoint interim officers to serve as any departmental director, as Inspector General, or in any position outlined in Article V of this Charter without confirmation by the Council for a period not to exceed 120 days. An interim appointment may continue beyond 120 days by extension or reappointment or another person may be successively appointed to the same position on an interim basis only if confirmed by the Council prior to the expiration of the initial interim appointment.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Section 2.03(2) shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

### **PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.03(2) Powers and Duties of the Charter of the County of Cuyahoga be amended to extend the term during which Council may act on Executive appointments, and add an interim appointment provision?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.03(2) which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President                      Date

\_\_\_\_\_  
Clerk of Council                                      Date

First Reading/Referred to Committee: July 23, 2013

Committee(s) Assigned: Committee of the Whole

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0160

Sponsored by: <b>Councilmembers Simon and Miller</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that “Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution”; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the “legislative authority... of any county may by a two-thirds vote of its members” submit by resolution charter amendments to the electors of the county “to be voted upon at the first general election occurring not sooner than sixty days after their submission”; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to allocate legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

#### **SECTION 4.01 PROSECUTING ATTORNEY: ELECTION, DUTIES AND QUALIFICATIONS.**

The Prosecuting Attorney shall be elected, and, **subject to the provisions of Section 5.06 of this Charter**, the duties of that office, and the compensation therefor, including provision for the employment of outside counsel, shall continue to be determined in the manner provided by general law.

SECTION 5.06 DIRECTOR OF LAW: POWERS, DUTIES AND QUALIFICATIONS.

The Director of Law shall be the legal advisor to and representative of the **County, the County Executive, and County Council, and all County departments, offices, agencies or other authorities responsible to the Council and the County Executive.** The Director of Law shall be an attorney at law in good standing in the State of Ohio and shall have had at least five years' experience in advising or representing political subdivisions in Ohio.

**Notwithstanding any other provision of this Charter or of general law, the Director of Law shall give written opinions as to the law when specifically requested to do so by the Council or the County Executive, and shall act as counsel in any proceeding instituted by or against the County of Cuyahoga, the Council, the County Executive, or any of the other entities listed in this section, and perform any other duties assigned by the Council or County Executive. The Director of Law shall be responsible for the employment of outside counsel in the performance of his or her duties.**

**Notwithstanding any other provision of the Charter or of general law, the County Council may employ outside counsel in the event a conflict of interest arises that precludes the dual representation of the County Executive and the Council, or when needed to provide proper legislative oversight.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article IV, Section 4.01 and Article V, Section 5.06 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article IV, Section 4.01 Prosecuting Attorney: Election, Duties and Qualifications and Article V, Section 5.06 Director of Law: Powers, Duties and Qualifications of the Charter of the County of Cuyahoga be amended to allocate legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article IV, Section 4.01 and Article V, Section 5.06 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 23, 2013

Committee(s) Assigned: Committee of the Whole

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0161

<p>Sponsored by: <b>Councilmembers Connally and Greenspan</b></p> <p>Co-sponsored by: <b>Councilmember Miller</b></p>	<p><b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that “Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution”; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the “legislative authority... of any county may by a two-thirds vote of its members” submit by resolution charter amendments to the electors of the county “to be voted upon at the first general election occurring not sooner than sixty days after their submission”; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to adjust the timeline for the appointment process and the term of the Charter Review Commission requiring the appointment and confirmation be made before the first day of July and the term commence on the first day of September in the year in which the appointment is made.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article XII, Section 12.09 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

SECTION 12.09 CHARTER REVIEW COMMISSION.

**Following the appointment of the initial Charter Review Commission in 2012,** commencing ~~in September 2012,~~ ~~in September 2017,~~ and at intervals of ten years thereafter, the County Executive, ~~with the confirmation of the Council,~~ shall **before the**

**first day of July** appoint a Charter Review Commission. **Charter Review Commission appointments shall be subject to Council confirmation. The Charter Review Commission shall consist** ~~consisting~~ of nine electors of the County, no more than five of whom may be of the same political party, and no more than two of whom may be an officer or employee of the County. Appointment to the Charter Review Commission shall be for a term of one year **commencing on the first day of September in the year in which the appointment is made.** Members of the Charter Review Commission shall serve without pay and shall serve on no more than three consecutive Charter Review Commissions, unless such service is within a ten-year period. The Council shall establish rules and procedures for the operation of the Charter Review Commission and the County Executive shall provide the Commission necessary staff services.

The initial Charter Review Commission shall include in its deliberations consideration of changes in this Charter for the purpose of providing more effective representation of indigent defendants, for adequate funding and support for the operation of the office of the County public defender, and for the appropriate method for selection of the County public defender.

The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate. The final report of each Charter Review Commission, which shall include all proposed charter amendments and a summary of the Commission's activities, shall be transmitted to the Council for consideration by the first day of July following the formation of the Charter Review Commission. The Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments.

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article XII, Section 12.09 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

#### **PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article XII, Section 12.09 Charter Review Commission of the Charter of the County of Cuyahoga be amended to require that the County Executive, before the first day of July, appoint a Charter Review Commission subject to the confirmation of the Council and to require the Commission's term commence on the first day of September in the year in which the appointment is made?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article XII, Section 12.09 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further

directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 23, 2013

Committee(s) Assigned: Committee of the Whole

Additional Sponsorship Requested on the Floor: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0162

Sponsored by: <b>Councilmembers Connally, Greenspan and Miller</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that “Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution”; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the “legislative authority... of any county may by a two-thirds vote of its members” submit by resolution charter amendments to the electors of the county “to be voted upon at the first general election occurring not sooner than sixty days after their submission”; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to establish the term of appointment and process of removal of the Sheriff.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article V, Section 5.01 and 5.08 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

#### **SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL.**

Each of the officers provided for in this Article V shall be appointed by the County Executive subject to confirmation by Council, and shall serve at the pleasure of the County Executive **unless otherwise specified herein.**

#### **SECTION 5.08 SHERIFF: POWERS, DUTIES AND QUALIFICATIONS.**

**(1) Powers and Duties.** All powers and duties now or hereafter vested in or imposed upon county sheriffs by general law shall be carried out by the appointed Sheriff.

**(2) Qualifications.** The Sheriff shall possess and continue to maintain the qualifications provided by general law for the office of county sheriff and in addition shall have had at least five years' experience in law enforcement or in correctional facilities management.

**(3) Term.** The Sheriff shall be appointed for a term of four years. Each four-year term shall commence on the first day of January of the year following the beginning of the term of office of the County Executive.

**(4) Removal.** The County Executive may remove the Sheriff from office subject to the approval of at least two-thirds of the Council.

**(5) Vacancy.** In the case of a vacancy prior to the expiration of the four-year term, the County Executive shall appoint a Sheriff to complete the unexpired term, subject to confirmation by Council. In the case of a vacancy prior to but within two years of the expiration of the four-year term, the County Executive may appoint a Sheriff to complete the unexpired term and a subsequent four-year term, subject to confirmation by Council.

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article V, Sections 5.01 and 5.08 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

#### **PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article V, Section 5.01 Appointment; Confirmation by Council and Section 5.08 Sheriff: Powers, Duties and Qualifications of the Charter of Cuyahoga County be amended to establish a term of appointment and process of removal of the Sheriff?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article V, Sections 5.01 and 5.08 are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0164

Sponsored by: <b>Councilmembers Greenspan and Schron</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that “Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution”; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the “legislative authority... of any county may by a two-thirds vote of its members” submit by resolution charter amendments to the electors of the county “to be voted upon at the first general election occurring not sooner than sixty days after their submission”; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to insure the continuation of the Inspector General’s Office by establishing the Agency of the Inspector General in the Charter.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of adding Article XIV, Section 14.01 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

#### **SECTION 14.01 AGENCY OF INSPECTOR GENERAL.**

**There shall be an Agency of Inspector General. The County Council shall establish, by ordinance, the powers and duties of the Agency, the manner of the Inspector General’s appointment, and the Agency’s funding to ensure its independence in carrying out its powers and duties.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Section 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment creating Article XIV, Section 14.01 shall be submitted to

the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article XIV, Section 14.01 Agency of Inspector General of the Charter of the County of Cuyahoga be added to establish the Agency of Inspector General in the Charter and provide for its funding, structure, operations, and authority?**

**SECTION 3.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 4.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

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

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 23, 2013  
Committee(s) Assigned: Committee of the Whole

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0127

Sponsored by: <b>Council President Connally</b>	<b>A Resolution</b> directing the County Executive to develop and propose a program to encourage environmentally and economically efficient employee transportation, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Department of Public Works' Rules and Regulations currently discourage ride sharing by limiting the use of parking passes to one employee; and

WHEREAS, the County substantially subsidizes the cost of employee parking at the Huntington Park Garage; and

WHEREAS, the County minimally subsidizes the cost of employee public transit passes; and

WHEREAS, Municipalities, Counties, and States throughout the Country subsidize public transportation for employees; and

WHEREAS, the Federal Government wholly subsidizes the cost of public transportation for employees; and

WHEREAS, free resources are available that facilitate individuals searching for others with whom to ride share; and

WHEREAS, Section 7.10 of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual, last approved by Council Ordinance No. O2013-0003, states that the County encourages all employees to seek opportunities to incorporate sustainable principles in work and home life, including using public transportation and fuel efficient vehicles; and

WHEREAS, it is necessary that this Resolution become immediately effective in order to maximize the economic and environmental benefits of improved transportation and parking policies and 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, acting through the appropriate department(s), propose transportation policies and procedures that include, at a minimum, the following:

- a) A public transportation subsidy of a percentage at least equal to the subsidy currently provided to employees parking at the Huntington Park Garage; and,
- b) A program whereby employee contributions to public transportation costs are paid with pre-tax dollars; and,
- c) Encouragement for employees to carpool/ride share.

**SECTION 2.** That the County Executive shall provide Council with the above-outlined proposal not later than sixty (60) days from the effective date of this Resolution.

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

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

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date



\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: June 25, 2013

Committee(s) Assigned: Education, Environment & Sustainability

Committee Report/Second Reading: July 23, 2013

Journal CC011  
August 13, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0136

<b>Sponsored by: Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article VI, Section 6.02 of the Charter of Cuyahoga County clarifying the role of the Board of Revision; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to clarify the role of the Board of Revision.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article VI, Section 6.02 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

#### **SECTION 6.02 BOARD OF REVISION.**

~~There shall be one or more Boards of Revision, each consisting of three electors of the County. Two members of each board, who shall not be of the same political party, shall be appointed by the Council, and one member shall be appointed by the County~~

~~Executive, each for a term of three years. Each Board of Revision shall exercise all duties of a county board of revision as prescribed by general law. The Council may provide for compensation for members of a Board of Revision.~~

**(1) The County shall have a single Board of Revision, consisting of three members, which shall perform all powers and duties of county boards of revision under general law and such other powers and duties not inconsistent therewith as provided herein or by ordinance. As of the effective date of this provision, the Board shall consist of the County Executive, one appointee of the Council President, and, at the choice of the County Executive, either the Fiscal Officer or Treasurer.**

**(a) At the choice of the Council President, the Council President's appointee may either be a member of Council or any other elector of the County. The term of the Council President's first appointee shall be from the effective date of this provision until January 4, 2016. The term of subsequent appointees shall be for a period of two years commencing on the fifth day of January and every two years thereafter.**

**(b) If a vacancy occurs in the Council President's appointee position, the Council President shall appoint a new member to complete the unexpired term.**

**(c) The Council President's appointee shall not belong to the same political party as the County Executive at the time of the appointment.**

**(2) The Board shall elect a chairperson, a secretary, and other officers as it deems appropriate at its organizational meetings.**

**(3) The Board shall have the power to set the hearing schedule for matters before it, and to make and amend its own internal operating rules, procedures, and regulations.**

**(4) The Board may employ administrative staff, including an administrator, as it deems necessary, to assist it in the performance of its powers and duties. All employees of the Board shall be unclassified employees.**

**(5) The Board shall employ or otherwise engage individuals to serve on one or more three-member hearing panels to hear complaints as to the value of real property and to perform other duties assigned to them by the Board. The individuals serving on hearing panels shall be electors of the County; shall serve at the pleasure of the Board; and shall abide by the Board's hearing schedule, rules, procedures, and regulations in performing their duties.**

**(6) The Board shall establish merit qualifications for the individuals serving on hearing panels as it deems necessary for them to perform their duties. In establishing the merit qualifications, the Board shall strive to employ or otherwise engage highly qualified individuals to elevate the citizens' trust in the system.**

**(7) The Board may not itself hear complaints related to the valuation of real property, and no member of the Board may serve on any of the hearing panels. The decisions of the hearing panels relating to real property valuation complaints shall constitute the final decisions of the Board and shall not be subject to further review by the Board itself.**

**(8) No member of the Board or any of the hearing panels may have any ex parte communications with any party, elected officials, county employees, or any other person regarding the merits of a pending matter before the panel. The Board shall enact and publish additional rules, procedures, or regulations to ensure that the system is administered fairly, including rules, procedures, or regulations governing conflicts of interest.**

**(9) The Board may utilize any boards of revision or hearing panels in existence as of the effective date of this provision as hearing panels to avoid any interruption of services.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article VI, Section 6.02 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article VI, Section 6.02 Board of Revision of the Charter of the County of Cuyahoga be amended to clarify the role of the Board of Revision?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article VI, Section 6.02 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the

Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0137

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.10(5) of the Charter of Cuyahoga County specifying actions of Council that do not require Executive approval to be binding; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to specify actions of Council that do not require Executive approval to be binding.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article III, Section 3.10(5) of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

SECTION 3.10 ORGANIZATION, RULES AND PROCEDURES.

(5) Adoption by Council. No action of the Council shall be valid or binding unless adopted by an affirmative vote of at least a majority of the members of Council. Each **adopted** ordinance or resolution shall be signed by the presiding officer and promptly presented by the Clerk of Council to the County Executive for approval or disapproval. **Notwithstanding the foregoing, the following actions shall be finally approved or disapproved upon action by Council, without presentation to the County Executive for approval or disapproval:**

- (a) Adoption or amendment of the rules and order of business of the Council;**
- (b) Adoption of the schedule of Council meetings, creation of committees, and other actions relating to the internal operations of the Council;**
- (c) Adopting an organizational structure for the Council office, consistent with the County's operating budget;**
- (d) Hiring and setting compensation for employees of the Council office, consistent with the County's operating budget;**
- (e) Approval of contracts or amendments to contracts not to exceed \$100,000 for services for the Council office, consistent with the County's operating budget;**
- (f) Confirmation of appointments recommended by the County Executive;**
- (g) Making of appointments designated in this Charter to be made by Council;**
- (h) Adoption of resolutions to require the attendance of any County employee or officer at Council meetings;**
- (i) Adoption of resolutions to compel the attendance of witnesses, issue subpoenas, or refer matters to the Prosecuting Attorney in accordance with Article III, Section 3.12;**
- (j) Submission of proposed amendments to this Charter to the electors of Cuyahoga County.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article III, Section 3.10(5) shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article III, Section 3.10(5) Organization, Rules and Procedures of the Charter of the County of Cuyahoga be amended to specify actions of Council that do not require Executive approval to be binding?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article III, Section 3.10 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date



First Reading/Referred to Committee: July 9, 2013  
Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0139

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.03 of the Charter of Cuyahoga County preventing the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to prevent the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article III, Section 3.03 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 3.03 RESIDENCY REQUIREMENT.**

A Council candidate shall have been an elector of the County for at least two years immediately prior to filing of a declaration of candidacy or appointment to fill a vacancy and shall also have been a resident of the district he or she wishes to serve for at least thirty days immediately prior to filing of candidacy or appointment to fill a vacancy. Once elected or appointed, Council members shall reside within **their respective districts during the tenure of their terms; however, a Council member shall not be disqualified from serving the full term to which the member has been elected due to redistricting.** ~~the County, and members elected from districts shall reside within their respective districts, during the tenure of their terms.~~

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article III, Section 3.03 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article III, Section 3.03 Residency Requirement of the Charter of the County of Cuyahoga be amended to prevent the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article III, Section 3.03 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President                      \_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council                                      \_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0140

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.01 of the Charter of Cuyahoga County requiring any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to require any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Section 2.01 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 2.01 COUNTY EXECUTIVE.**

The County Executive shall be the chief executive officer of the County. The County Executive shall first be elected at the 2010 general election and shall hold office for a term of four years commencing on the first day of January 2011. Any candidate for election as County Executive shall **have been** ~~be~~ an elector of the County **for at least two years immediately prior to the time of** filing of the declaration of candidacy, shall be nominated and elected in the manner provided for county officers by general law and this Charter and during the entire term of office shall remain an elector of the County. The County Executive shall not, except as authorized by the Council, hold or accept other employment or public office.

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Section 2.01 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.01 County Executive of the Charter of the County of Cuyahoga be amended to require any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.01 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0143

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b></p>	<p><b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.04 Vacancy of the Executive of the County Charter requiring the County Executive to designate a successor and more clearly specify the order of succession in case of a vacancy; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to more clearly specify succession in case of a vacancy of the County Executive.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Section 2.04 Vacancy of the County Executive the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:



SECTION 2.04 VACANCY.

**The County Executive shall designate, subject to confirmation by the Council, one officer appointed under Article V of this Charter to succeed as County Executive on an interim basis in the event the office of the County Executive becomes vacant prior to the expiration of his or her term by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason. ~~In the event the office of the County Executive becomes vacant by reason of death, resignation, removal from office, failure to remain an elector of the County or for any other reason,~~ In the event no designee of the County Executive has been confirmed prior to the office of the County Executive becoming vacant, the President of Council shall succeed to the office of County Executive on an interim basis. If a vacancy occurs more than thirty (30) days prior to the filing deadline for the primary for the countywide general election held during the second year of a four-year term, the interim succession shall be for a period until the end of the calendar year following that same countywide general election, at which election the position shall be filled for the remainder of the unexpired term. Otherwise, the interim succession shall extend for the remainder of the four-year term. ~~in the first or second year of a four-year term, the interim succession shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the principal term. If a vacancy occurs in the third or fourth year of a four-year term, the interim succession shall extend until the next countywide general election, at which time the position shall be filled for the next four-year term.~~ The interim succession of the President of Council to the office of County Executive as provided herein shall create a vacancy in the membership of County Council and in the position of President of Council. Upon the occurrence of a vacancy in the position of President of Council, the Vice-President of Council shall assume the position of President, and the Council shall elect a member to serve as Vice-President. The Council seat vacated by the former ~~Council president~~ **President of Council** shall be filled ~~in the manner described herein~~ **as provided for in Article III, Section 3.05 or 3.06, as applicable.****

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Section 2.04 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.04 be amended to require the County Executive to designate a successor to fill the Executive's position on an interim basis should a vacancy occur, and to more clearly specify the order of succession in case of a vacancy?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.04 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0144

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b></p>	<p><b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.07 Vacancies and Length of Appointment of Council clarifying the length of appointment should a vacancy in the Council arise; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to clarify the length of appointment should a vacancy arise in the Council.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article III, Section 3.07 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 3.07 VACANCIES; LENGTH OF APPOINTMENT.**

~~If a vacancy occurs in the first or second year of a four-year term, the interim appointment shall be for a period until the next countywide general election, at which time the position shall be filled for the remainder of the unexpired term. If a vacancy occurs in the third or fourth year of a four-year term, the interim appointment shall extend until the next countywide general election, at which time the position shall be filled for the next four-year term.~~ **at least thirty (30) days prior to the filing deadline for the primary for the countywide general election held during the second year of a four-year term, the interim appointment shall be for a period until the end of the calendar year following that same countywide general election, at which election the position shall be filled for the remainder of the unexpired term. Otherwise, the interim appointment shall extend for the remainder of the four-year term.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article III, Section 3.07 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article III, Section 3.07 Vacancies and Length of Appointment of the Charter of Cuyahoga County be amended to clarify the length of appointment in case of a vacancy on the Cuyahoga County Council?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article III, Section 3.07 are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0145

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b></p>	<p><b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI adding Section 11.05 Performance Audit of Cuyahoga County's Justice System requiring the County Executive to appoint a board or university to conduct a performance audit of the Cuyahoga County Justice System; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to require that the County of Cuyahoga appoint a board to regularly conduct a performance audit of the Cuyahoga County Justice System.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article XI to add Section 11.05 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 11.05 PERFORMANCE AUDIT OF CUYAHOGA COUNTY'S JUSTICE SYSTEM.**

**The Cuyahoga County Executive shall, no later than February 1, 2014, and every five years thereafter, appoint an independent organization or university with nationally recognized expertise in the area of the administration of justice to conduct a performance audit of the County's justice system. The performance audit will recommend best practices that would improve the justice system's efficiency, effectiveness and fairness. The organization selected shall be subject to the approval of the Council.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article XI to add Section 11.05 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article XI of the Charter of Cuyahoga County be amended to add Section 11.05 requiring regular performance audits be conducted of the Cuyahoga County Justice System?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article XI which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective upon the signature of the County Executive.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President                      \_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council                                      \_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0133

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to extend the term during which Council may act on Executive appointments, specify the role demographic considerations should play in the exercise of appointment authority, and add an interim appointment provision.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Sections 2.03(2) of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

## SECTION 2.03 POWERS AND DUTIES.

(2) To appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities as are or may hereafter be created by or pursuant to this Charter, and such officers and members of boards, agencies commissions and authorities as are provided by general law to be appointed by boards of county commissioners. If the Council shall fail to act on the question of such an appointment by the County Executive within ~~thirty~~**sixty** days of the date that the County Executive submits such appointment to the Council for its consideration, that appointment shall be deemed confirmed without further action by the Council. **Subject to any applicable qualifications or requirements for officers and members of each board, agency, commission or authority**, the County Executive and the Council shall use good faith efforts to ~~reflect the diversity of people of the County~~ **consider emerging and underrepresented demographics** in appointing such officers and members.

**The County Executive may appoint interim officers to serve as any departmental director, as Inspector General, or in any position outlined in Article V of this Charter without confirmation by the Council for a period not to exceed 120 days. An interim appointment may continue beyond 120 days by extension or reappointment or another person may be successively appointed to the same position on an interim basis only if confirmed by the Council prior to the expiration of the initial interim appointment.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Section 2.03(2) shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

### **PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.03(2) Powers and Duties of the Charter of the County of Cuyahoga be amended to extend the term during which Council may act on Executive appointments, specify the role demographic considerations should play in the exercise of appointment authority, and add an interim appointment provision?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.03(2) which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise

distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

_____	_____
County Council President	Date
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: July 9, 2013  
Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0134

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.09 of the Charter of Cuyahoga County imposing a duty on Council to enact campaign finance laws governing the election of County officers and officials; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to impose a duty on Council to enact campaign finance laws governing the election of County officers and officials.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article III, Section 3.09 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

SECTION 3.09 POWERS AND DUTIES OF THE COUNCIL.

The legislative power of the County, including the power to introduce, enact and amend ordinances and resolutions relating to all matters within the legislative power of the County, is vested in the Council. All powers **and duties** of the Council shall be exercised by ordinance or resolution and shall include, but not be limited to, the following:

\*\*\*\*\*

**(13) To enact campaign finance laws governing the election of any County officers and officials including, without limitation, campaign finance limits and donor disclosure requirements.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article III, Section 3.09 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article III, Section 3.09 Powers and Duties of the Council of the Charter of the County of Cuyahoga be amended to impose a duty on Council to enact campaign finance laws governing the election of County officers and officials?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article III, Section 3.09 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0135

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b></p>	<p><b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 of the Charter of Cuyahoga County requiring the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to appointing the Clerk of Courts; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to require the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to appointing the Clerk of Courts.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article V, Section 5.01 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL.**

Each of the officers provided for in this Article V shall be appointed by the County Executive, subject to confirmation by Council, and shall serve at the pleasure of the County Executive. **The County Executive shall solicit the advice of the Administrative Judges of the courts served by the Clerk of Courts for his or her consideration in making the appointment of the Clerk of Courts.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article V, Section 5.01 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article V, Section 5.01 Appointment; Confirmation by Council of the Charter of the County of Cuyahoga be amended to require the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to appointing the Clerk of Courts?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article V, Section 5.01 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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



Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0138

<b>Sponsored by: Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to insure the continuation of the Inspector General's Office by establishing the Agency of the Inspector General in the Charter.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of adding Article XIV, Section 14.01 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 14.01 AGENCY OF INSPECTOR GENERAL.**

The County's Agency of Inspector General shall serve as the County's chief ethics officer and shall have all powers and duties to investigate fraud, corruption, waste, abuse, misfeasance, malfeasance, and nonfeasance, including the power and duties to investigate all county contracts, without interruption from any other public official or employee. The Inspector General shall have the independent power to issue subpoenas and to conduct sworn examinations and depositions as necessary for the Agency to conduct its functions. The Inspector General shall appoint a Deputy Inspector General who shall serve at the pleasure of the Inspector General.

**(1) Initial Term, Appointment, Term, and Removal of the Inspector General.**

(a) The initial term of the incumbent Inspector General shall continue until June 30, 2016, and the incumbent Inspector General shall have the right to continue to serve as the County's first Inspector General without any further action needed until June 30, 2016. Effective July 1, 2016, the Inspector General shall be appointed by the County Executive, subject to confirmation by County Council. The term of the Inspector General shall be five years commencing on July 1, 2016, with subsequent terms commencing every five years on the first day of July.

(b) In the case of a vacancy in the position of Inspector General, the Executive shall appoint a successor Inspector General, subject to confirmation of Council, to fill the remaining term of the Inspector General. Notwithstanding any other provision in the Charter to the contrary, the Deputy Inspector General shall serve as the Acting Inspector General during any vacancy, and the Executive may not appoint an interim Inspector General.

(c) The Inspector General may be removed from office for inefficiency, neglect of duty, or malfeasance in office after notice and public hearing before the Council, provided that at least two-thirds of the Council and the County Executive concur. Either the County Executive or the Council may initiate the process to remove the Inspector General.

**(2) Contracting with other Entities.** The County shall have the right to contract on behalf of the Agency of Inspector General to have the Agency of Inspector General provide similar services to any other governmental funded entities, county hospitals, agencies, authorities, municipalities, districts, or political subdivisions.

**(3) Confidential Investigatory Files.** Without regard to how such documents are received by the Agency, all documents prepared or received by the Agency of the Inspector General, including, but not limited to, all complaints, tips, hotline messages, and any other filings and submittals received by the Agency shall be considered part of the Inspector General confidential investigatory files. Such records shall be exempt from disclosure until the matter is concluded and the investigation is closed by the Inspector General and any other investigatory agencies with jurisdiction over the matter. In the event such records are publicly

disclosed, the Inspector General shall take measures to protect the privacy of complainants and witnesses to the extent permitted by law.

**(4) Agency of Inspector General's Budget, Facilities, Furniture, Equipment, and Software.**

**(a) The County Council shall appropriate funds for the Agency of Inspector General sufficient for the Agency to exercise its powers and duties as established herein. The budget of the Agency of Inspector General shall be based on a fixed formula established by county ordinance in order to ensure that the Agency can function without political interference. If the County Council fails to appropriate the necessary funds for the Agency to carry out its functions as provided herein, the Agency shall have the right to institute legal action in court to compel the County to appropriate the necessary funds for its operations.**

**(b) The County shall provide the Agency of Inspector General with appropriately located office space and sufficient physical facilities, including office furniture, equipment, and software commensurate with other County departments of similar size and needs.**

**(5) Limitations on the Agency of Inspector General.**

**(a) The Inspector General shall not interfere with any ongoing criminal, administrative, civil, or such other investigation or prosecution in the performance of his/her duties.**

**(b) The Inspector General shall manage the Agency and conduct all investigations in a manner that protects the constitutional and civil rights of any person who is the subject of an investigation as well as the constitutional and civil rights of any potential witnesses.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment creating Article XIV, Section 14.01 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article XIV, Section 14.01 Agency of Inspector General of the Charter of the County of Cuyahoga be added to establish the Agency of Inspector General in the Charter and provide for its funding, structure, operations, and authority?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article XIV, Section 14.01 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0141

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to allocate legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 4.01 PROSECUTING ATTORNEY: ELECTION, DUTIES AND QUALIFICATIONS.**

The Prosecuting Attorney shall be elected, and, **subject to the provisions of Section 5.06 of this Charter**, the duties of that office, and the compensation therefor, including provision for the employment of outside counsel, shall continue to be determined in the manner provided by general law.

**SECTION 5.06 DIRECTOR OF LAW: POWERS, DUTIES AND QUALIFICATIONS.**

**Except as provided below**, the Director of Law shall be the legal advisor to and representative of the County Executive, County Council, **and all County departments, offices, agencies, and other authorities responsible to the Council and the County Executive**. The Director of Law shall be an attorney at law in good standing in the State of Ohio and shall have had at least five years' experience in advising or representing political subdivisions in Ohio. **The Director of Law shall:**

- (1) Give written opinions as to the law when specifically requested to do so by the Council or the County Executive;**
- (2) Represent the County, the County Executive and the Council in administrative proceedings and labor negotiations;**
- (3) Act as counsel for the County, the County Executive and/or the Council, except upon the initiation of any court proceeding instituted by or against the County of Cuyahoga, the Council, the County Executive, or any of the other entities listed in this section; and**
- (4) Perform any other duties assigned by the Council or County Executive.**

**The Director of Law shall be responsible for the employment of outside counsel in the performance of his or her duties.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article IV, Section 4.01 and Article V, Section 5.06 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article IV, Section 4.01 Prosecuting Attorney: Election, Duties and Qualifications and Article V, Section 5.06 Director of Law: Powers, Duties and Qualifications of the Charter of the County of Cuyahoga be amended to allocate legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article IV, Section 4.01 and Article V, Section 5.06 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0142

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to adjust the timeline for the appointment process and the term of the Charter Review Commission requiring the appointment and confirmation be made before the first day of July and the term commence on the first day of September in the year in which the appointment is made.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article XII, Section 12.09 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

SECTION 12.09 CHARTER REVIEW COMMISSION.

Commencing in ~~September~~ 2012, in ~~September~~ 2017, and at intervals of ten years thereafter, the County Executive, with the confirmation of the Council, shall **before the first day of July** appoint a Charter Review Commission consisting of nine electors of the County, no more than five of whom may be of the same political party, and no more than two of whom may be an officer or employee of the County. Appointment to the Charter Review Commission shall be for a term of one year **commencing on the first day of September in the year in which the appointment is made**. Members of the Charter Review Commission shall serve without pay and shall serve on no more than three consecutive Charter Review Commissions, unless such service is within a ten-year period. The Council shall establish rules and procedures for the operation of the Charter Review Commission and the County Executive shall provide the Commission necessary staff services.

The initial Charter Review Commission shall include in its deliberations consideration of changes in this Charter for the purpose of providing more effective representation of indigent defendants, for adequate funding and support for the operation of the office of the County public defender, and for the appropriate method for selection of the County public defender.

The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate. The final report of each Charter Review Commission, which shall include all proposed charter amendments and a summary of the Commission's activities, shall be transmitted to the Council for consideration by the first day of July following the formation of the Charter Review Commission. The Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments.

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article XII, Section 12.09 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article XII, Section 12.09 Charter Review Commission of the Charter of the County of Cuyahoga be amended to require the County Executive, with confirmation by the Council, appoint a Charter Review Commission before the first day of July and to require the Commission's term commence on the first day of September in the year in which the appointment is made?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article XII, Section 12.09 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendment to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0146

Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to establish the term of appointment and process of removal of the Sheriff.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article V, Section 5.01 and 5.08 of the Charter of the County of Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

**SECTION 5.01 APPOINTMENT; CONFIRMATION BY COUNCIL.**

Each of the officers provided for in this Article V shall be appointed by the County Executive subject to confirmation by Council, and shall serve at the pleasure of the County Executive **unless otherwise specified herein.**

**SECTION 5.08 SHERIFF: POWERS, DUTIES AND QUALIFICATIONS.**

All powers and duties now or hereafter vested in or imposed upon county sheriffs by general law shall be carried out by the appointed Sheriff. The Sheriff shall possess and continue to maintain the qualifications provided by general law for the office of county sheriff and in addition shall have had at least five years' experience in law enforcement or in correctional facilities management. **The Sheriff shall be appointed for a term of four years commencing on January 1, 2016. The Sheriff may only be removed from office by the County Executive prior to the expiration of his or her term subject to the approval of at least two-thirds of the Council.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article V, Sections 5.01 and 5.08 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article V, Section 5.01 Appointment; Confirmation by Council and Section 5.08 Sheriff: Powers, Duties and Qualifications of the Charter of Cuyahoga County be amended to establish a term of appointment and process of removal of the Sheriff?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article V, Sections 5.01 and 5.08 are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0147

<b>Sponsored by: Council President Connally on behalf of Charter Review Commission</b>	<b>A Resolution</b> providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article XII, Section 12.09 of the Charter of Cuyahoga County provides that "The Charter Review Commission may propose to the Council such amendments to this Charter as it shall deem appropriate" and "Council shall vote within sixty days after the proposals are received on whether or not to submit the proposals to the electors at the next general election held more than sixty days after its vote on the proposed amendments"; and

WHEREAS, Article XII, Section 12.10 of the Charter of Cuyahoga County provides that "Proposed amendments to this Charter shall be submitted to the electors of the County in the manner provided for by the Ohio Constitution"; and

WHEREAS, Article X, Section 4 of the Ohio Constitution provides that the "legislative authority" "of any county may by a two-thirds vote of its members" submit by resolution charter amendments to the electors of the county "to be voted upon at the first general election occurring not sooner than sixty days after their submission"; and

WHEREAS, this Council believes it is in the best interest of the citizens of the County of Cuyahoga to amend the County Charter to rename the "Human Resource Commission" the "Personnel Review Commission," to clarify the Personnel Review Commission's administrative powers and duties, and to formally establish an office of the Director of Human Resources.

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

**SECTION 1.** Pursuant to Article X, Section 4 of the Ohio Constitution and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby authorizes and directs that there shall be submitted to a vote of qualified electors of the County of Cuyahoga, at the general election to be held on Tuesday, the 5<sup>th</sup> day of November, 2013, the question of amending Article II, Sections 2.03(12) and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 of the Charter of the County of

Cuyahoga, the respective text to be as set forth herein, with boldfaced text being added and crossed out text being deleted as follows:

#### SECTION 2.03 POWERS AND DUTIES.

(12) To conduct collective bargaining ~~regarding wages and compensatory benefits~~ with any recognized employee bargaining unit ~~in conjunction with the Human Resource Commission,~~ and, administer uniform personnel procedures for all County employees, **and to provide quarterly reports to the Personnel Review Commission regarding the County's collective bargaining strategies and approved contracts.**

#### SECTION 9.01 ~~HUMAN RESOURCE COMMISSION~~**PERSONNEL REVIEW COMMISSION.**

**There shall be a Personnel Review Commission.** The County Executive, subject to confirmation by the Council, shall appoint the members of **the Personnel Review Commission** ~~a Human Resource Commission~~, consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations. No more than two of the three members of the **Personnel Review Commission** ~~Human Resource Commission~~ shall be members of the same political party. **The Personnel Review Commission is authorized to employ persons in the service of the County.** The **Personnel Review Commission** ~~Human Resource Commission~~ shall be responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness. The County's human resources policies and systems, including ethics policies for County employees, shall be established by ordinance and shall be administered in such manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry. **The Personnel Review Commission shall submit a recommendation regarding any ordinance concerning County personnel policies prior to passage by County Council. In the event the Personnel Review Commission does not endorse an ordinance, the Personnel Review Commission may provide a Statement of Non-Endorsement to the County Council.**

The term of office of each member of the **Personnel Review Commission** ~~Human Resource Commission~~ shall be six years. The terms shall be staggered so that no term expires within less than two years of the expiration of any other term. The County Executive shall fill a vacancy occurring for an unexpired term in the same manner as a regular appointment.

Of the terms of office for the initial appointees, one shall be appointed for a term of six years, one shall be appointed for a term of four years and one shall be appointed for a term of two years. The County Executive shall nominate the initial appointees to the **Personnel Review Commission** ~~Human Resource Commission~~ not later than March 1, 2011 and thereafter within thirty days after the occurrence of a vacancy.

No member of the **Personnel Review Commission** ~~Human Resource Commission~~ shall hold any other public office or public employment with the County. The Council shall



establish a per diem compensation for the members of the **Personnel Review Commission** ~~Human Resource Commission~~.

The County Executive may remove any member of the **Personnel Review Commission** ~~Human Resource Commission~~ for inefficiency, neglect of duty or malfeasance in office after notice and public hearing before the Council, provided that ~~eight~~ **two-thirds of the** members of the Council concur.

#### SECTION 9.02 AUTHORITY OF ~~HUMAN RESOURCE COMMISSION~~**PERSONNEL REVIEW COMMISSION**.

The **Personnel Review Commission** ~~Human Resource Commission~~ shall have:

(1) Responsibility for the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review, **including those of classified employees who work for the County Executive, Prosecuting Attorney, County Planning Commission, and the County Public Defender;**

(2) Responsibility for administration of ~~countywide~~ compliance with federal and state laws regarding personnel matters **within the County Executive's organization and departments** ~~which the County is the reporting unit and for maintenance of records required by such laws;~~

(3) **For the County Executive's organization and departments,** authority to ensure:

- Pay equity for like positions;
- Standardization of benefits;
- Approval of qualifications;
- Consistent discipline;
- Training of management in personnel practices;
- Training of employees in job functions;
- Training for total quality management;
- Consistent administration of performance management system;
- Coordination of recruitment;
- Compliance with ethics resolutions or ordinances as passed by the Council;

(4) **Responsibility for creation of rules and policies related to the Personnel Review Commission's authority set forth in this Charter;**

(45) Such other functions as may be deemed necessary by the Council for the **Personnel Review Commission** ~~Human Resource Commission~~ to carry out its mission and purpose.

#### SECTION 9.03 CLASSIFICATION.

The **Personnel Review Commission** ~~Human Resource Commission~~ shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification. The classification system shall include the employees of the offices listed in Article V of this Charter, as well as those of the County Executive and County Council except those employees in positions designated as unclassified by general law. The classification system shall, to the extent permitted by the Ohio Constitution, include

the **classified** employees of all offices, officers, agencies, departments, boards, commissions or other public bodies, other than separate political subdivisions, that are supported in whole or in part from taxes levied, or other financial assistance provided, by the County.

#### SECTION 9.04 APPOINTING AUTHORITIES.

The County Executive and the officers, offices, agencies, departments, boards and commissions and other public bodies, who under this Charter or under general law are authorized to employ persons in the service of the County, shall be appointing authorities. Persons interested in employment with the County shall make application to the Department of Human Resources. No appointing authority shall appoint a person to fill a vacancy in the classified service who does not meet the qualifications for that position approved by the **Personnel Review Commission** ~~Human Resource Commission~~. All Appointing Authorities shall strive in making appointments in both the classified and the unclassified service to ensure that the diversity of the population of the County is reflected in the persons who are employed by the County.

#### SECTION 9.05 DEPARTMENT OF HUMAN RESOURCES.

There shall be a Department of Human Resources, which shall, **as part of its duties**, ~~serve under the direction of and~~ perform such functions on behalf of the **Personnel Review Commission** ~~Human Resource Commission~~ as the Commission shall **delegate** ~~prescribe~~. **The Department of Human Resources shall provide regular reports to the Personnel Review Commission regarding the Department's performance of such delegated functions in accordance with timeframes established by the Personnel Review Commission.**

#### SECTION 9.06 DIRECTOR OF HUMAN RESOURCES: POWERS, DUTIES AND QUALIFICATIONS.

**The Director of Human Resources shall be appointed by the Executive to manage County employment matters including hiring, firing, discipline, layoffs, training, benefits, time and attendance, HR compliance, and drafting policies and procedures. The Director shall be responsible for offering support to the law department on all labor and employment matters. The Director of Human Resources shall have a minimum of five years of experience advising or working in the public sector, experience in employment related matters, management experience or related relevant experience.**

**SECTION 2.** Pursuant to Article X, Section 4 of the Ohio Constitution, and Article XII, Sections 12.09 and 12.10 of the Charter of the County of Cuyahoga, this Council hereby directs that the proposed amendment of Article II, Sections 2.03(12) and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 shall be submitted to the Board of Elections of Cuyahoga County, and the question to be submitted on the ballot shall be as follows:

**PROPOSED AMENDMENT TO COUNTY CHARTER**

**Shall Article II, Section 2.03(12) Powers and Duties, and Article IX of the Charter of the County of Cuyahoga be amended to rename the “Human Resource Commission” the “Personnel Review Commission,” to clarify the Personnel Review Commission’s administrative powers and duties, and to formally establish an office of the Director of Human Resources?**

**SECTION 3.** If the foregoing proposal receives the affirmative vote of a majority of the electors voting thereon, the existing provisions of Article II, Section 2.03(12) and Article IX, Sections 9.01 through 9.05 and the addition of 9.06 which are inconsistent herewith, shall be and the same are hereby repealed effective as of the date on which such amendment becomes effective.

**SECTION 4.** The Clerk of this Council is directed to certify a copy of this Resolution to the Board of Elections no earlier than one hundred twenty (120) days and not later than sixty (60) days before the November 5, 2013 election. The Clerk is further directed to take all other actions required by law relative to the submission of said amendment for said election, including, if required by law, mailing or otherwise distributing a copy of said proposed amendment to each of the electors of the County as far as may be reasonably possible prior to thirty (30) days before said election.

**SECTION 5.** It is necessary that this Resolution become immediately effective to enable the Clerk of Council to perform her duties in time for the amendments to be properly placed on the November 5, 2013 election. Provided that this Resolution receives the affirmative vote of eight (8) members of Council, it shall become immediately effective.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 9, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: July 23, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 2013

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2013-0019

Sponsored by: <b>Councilmembers Jones and Miller</b>	<b>An Ordinance</b> amending Sections 704.01 to 704.03 of the Cuyahoga County Code to designate that the Additional DTAC Fee commence on 1/1/2014 and continue through 12/31/2018, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, pursuant to division (B) of Section 321.261 of the Ohio Revised Code, this County Council may designate an additional five percent (5%) deduction from all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments (the "Additional DTAC Fee") to be deposited in the delinquent tax and assessment collection fund (the "DTAC Fund") and appropriated for the use of a county land reutilization corporation, including the Cuyahoga County Land Reutilization Corporation (the "Corporation"); and

WHEREAS, pursuant to subdivision (B) of Section 321.261 of the Ohio Revised Code, the Corporation has requested that this Council consider designating the Additional DTAC Fee, commencing January 1, 2014, and continuing through December 31, 2018, subject to the limitation provided for in Section 1 of this Ordinance; and

WHEREAS, this Council finds that designating the Additional DTAC Fee, subject to the limitation provided for in Section 1 of this Ordinance, to provide a portion of the Corporation's Annual Base Funding, is in the best interests of the County and is necessary for the Corporation to continue to achieve its mission and public purposes of, among others, alleviating the slum and blight of vacant, abandoned and foreclosed properties within the County and the negative consequences which certain national real estate practices and the prior recession have inflicted on the local real estate markets; and

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

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

**SECTION 1.** Sections 704.01 to 704.03 of the Cuyahoga County Code shall be amended and replaced to read as follows:

**CHAPTER 704: Delinquent Tax Anticipation Notes (DTAN)/Delinquent Tax and Assessment Collection (DTAC)**

### **Section 704.01: Additional DTAC Fee**

Pursuant to and in accordance with Section 321.261(B) of the Ohio Revised Code and subject to the other provisions of this Chapter, this Council hereby designates the Additional DTAC Fee in the annual amount of five percent (5%) to be applied on all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments solely for the use of the Corporation as part of its annual base funding, commencing on January 1, 2014 and continuing through December 31, 2018.

### **Section 704.02: Maximum Base Funding**

Notwithstanding the provisions of Section 704.01 of the Cuyahoga County Code, the aggregate amount transferred to the Corporation from the DTAC Fund and the penalties and interest on current late and delinquent taxes and assessments deposited into the County Land Reutilization Fund in any single fiscal year of the Corporation shall not exceed \$7,000,000.00 (the "Maximum Annual Base Funding Amount").

### **Section 704.03: Deposit and Appropriation of Additional DTAC Fee**

All amounts constituting the Additional DTAC Fee shall be deposited in the DTAC Fund, and such amounts upon their deposit in such fund, subject to the provisions of Section 704.02 of the Cuyahoga County Code, are hereby appropriated for the sole use of the Corporation and shall be disbursed to the Corporation upon warrant of the Fiscal Officer of the County (the "Fiscal Officer").

**SECTION 2.** The Clerk of Council is hereby instructed to transmit a copy of this Ordinance upon its execution by the County Council President, the County Executive and the Clerk of Council to the Fiscal Officer and the County Treasurer.

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

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







Funding Source: The General Fund. The resolution (R2013-0087) was approved by the County Council on June, 11 2013.

B. 24A640 – FCFC Public Assistance Funds **BA1301332**  
FC451492 –Family and Children First Council PA  
Other Expenses \$ (201,152.01)

Funding Source: The Family and Children First Council funding source is primarily the Health and Human Services levies.

C. 24A641 –PA Homeless Services **BA1301333**  
HS158097 – PA Homeless Services  
Personal Services \$ 8,000.00  
Other Expenses \$ 44,150.00

Funding Source: The Office of Homeless Services primary funding source is the Health and Human Services Levy Fund.

D. 24A435 – Cuyahoga Tapestry System of Care **BA1301329**  
CF135004 – DCFS-Cuy Tapestry System of Care  
Other Expenses \$ (175,000.00)

Funding Source: Funding is from the Health & Human Services Levy Fund.

E. 24A301 – Children & Family Services **BA1301330**  
CF135467 – Administrative Services - CFS  
Other Expenses \$ 175,000.00

Funding Source: Funding is from the Health & Human Services Levy Fund.

F. 22A678 – Shelter + Care Renewal – SRA **BA1301335**  
HS754200 – Shelter + Care Renewal ‘12 SRA  
Other Expenses \$ 1,383,696.00

Funding Source: The United States Department of Housing & Urban Development in connection with the Continuum of Care.

G. 22A786 – Shelter + Care ‘12 Renewal - SRA **BA1301336**  
HS754192 – Shelter + Care ‘12 Renewal - SRA  
Other Expenses \$ 371,928.00

Funding Source: The United States Department of Housing & Urban Development in connection with the Continuum of Care.

H. 01A001 – General Fund **BA1301337**  
SV102053 – College Savings Program  
Personal Services \$ 75,400.00  
Other Expenses \$ 1,874,600.00

Funding Source: General Fund.

I. 20A600 — Cuyahoga Support Enforcement Agency **BA1301394**  
 SE496000 – Child Support Enforc Agency  
 Other Expenses \$ (10,000.00)

Funding Source: Funding is from the Health and Human Service Levy. The funding period is from January 1, 2013 to December 31, 2013.

J. 20A606 — Cuyahoga Support Enforcement Agency **BA1301398**  
 SE507152 – Child Support Enforc Agency  
 Other Expenses \$ 10,000.00

Funding Source: Funded by the Health and Human Services Levy Fund. The funding period is from January 1, 2013 to December 31, 2013.

K. 20A076 – Cuy Co Reg Forensic Science Lab SR **BA1302184**  
 CR180265 – Cuy Co Reg Forensic Science Lab SR  
 Personal Services \$ 365,000.00  
 Other Expenses \$ 50,000.00

Funding Source: Funding is from fees for autopsies to other counties and a subsidy from the General Fund covering the period January 1, 2013 through December 31, 2013.

L. 01A001 — General Fund **BA1301421**  
 PD140053 – Public Defender  
 Personal Services \$ 139,700.00

Funding Source: Funding is from fees for autopsies to other counties and a subsidy from the General Fund covering the period from January 1, 2013 to December 31, 2013.

M. 20A804 — Public Defender Cleve Municipal Div **BA1301421**  
 PD141028 – Public Defender Cleve Municipal Div  
 Personal Services \$ 13,900.00

Funding Source: Funding is from the Health and Community Services Fund, and is subject to reimbursement from a contract with the City of Cleveland. The funding period is from January 1, 2013 to December 31, 2013.

N. 64A601 – County Office Supply Contract **BA1301426**  
 FS109751 – Fiscal – County Supplies  
 Other Expenses \$ 200,000.00

Funding Source: Revenues come from charges to user agency for the supplies purchases.

O. 20A811 – Juvenile Court Detention & Probation Services **BA1301427**  
 JC107524 – Juvenile Court Detention Services  
 Other Expenses \$ 634,175.00

Funding Source: Funding comes from the Health and Human Services Levy Fund.

P. 01A001 –General Fund **BA1301352**

MI512657- Miscellaneous  
Other Expenses \$ 292,781.00

Funding Source: Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

Q. 20A695 –Clerk of Courts Computerization **BA1301353**  
CL576124- Clerk of Courts Computerization  
Other Expenses \$ 32,083.00

Funding Source: Funding is from a \$10 court cost that covers the period January 1, 2013 through December 31, 2013.

R. 01A001 –General Fund **BA1301354**  
AE511451- Board & Care of Prisoners  
Other Expenses \$ 194,886.00

Funding Source: Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

R. 20A812 –Common Pleas Special Project I **BA1301379**  
SH456483- Sheriff’s Dept. Special Project I  
Personal Services \$ 7,092.00

Funding Source: Funding is from the Common Pleas Court Special Project I fund with revenues generated by collected court costs covering the period January 1, 2013 through December 31, 2013.

S. 01A001 –General Fund **BA1301382**  
SH350470- Jail Operations-Sheriff  
Other Expenses \$ 792,814.00

Funding Source: Funding is from General Fund covering the period January 1, 2013 through December 31, 2013.

T. 01A001 –General Fund **BA1301383**  
SH350272- Law Enforcement-Sheriff  
Other Expenses \$ 176,907.00

Funding Source: Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

U. 01A001 – General Fund **BA1301429**  
HR018010 – Human Resources General Fund  
Other Expenses \$ 10,000.00

Funding Source: The funding source is the General Fund.

V.	22A040 – 2011 Lead Hazard Reduction Grant		<b>BA1301432</b>
	DV708974 – Lead Hazard Reduction Grant		
	Other Expenses	\$	42,365.00

Funding Source: The funding source is matching funds from municipalities.

W.	22A003 – 2008 Neighborhood Stabilization Program		<b>BA1301433</b>
	DV712810 – 2008 Neighborhood Stabilization Program Project Plan		
	Other Expenses	\$	351,918.95

Funding Source: The funding source is reimbursements from homeowners.

X.	22A105 – US Dept of HUD Section 108		<b>BA1301434</b>
	DV711606 – U. S. Dept of Housing and Urban Development Section 108		
	Other Expenses	\$	43,901.10

Funding Source: Funding is provided through repayments from loan recipients that are collected in a Cuyahoga County Treasurer account for this purpose.

Y1.	22A962 – US Dept of HUD Emergency Solutions Grant 2013		<b>BA1301449</b>
	DV714212 – US Dept of HUD Emergency Solutions Grant 2013		
	Personal Services	\$	(4,500.00)
	Other Expenses	\$	(76,779.00)

Y2.	22A960 – U.S. Dept of HUD Community Development Block Grant Year 39 2013		
	DV714154 – U. S. Dept of HUD Community Development Block Grant Economic Development Operating 2013		
	Personal Services	\$	(5,095.00)
	Other Expenses	\$	(500.00)

Funding Source: Funding is provided by grants from the United States Department of Housing and Urban Development.

Z1.	22A961 – U.S. Dept of HUD HOME 2013		<b>BA1301451</b>
	DV714196 – U.S. Dept of HUD HOME Project Plan Fiscal Year 2013		
	Other Expenses	\$	182,795.00

Z2.	22A960 – U.S. Dept of HUD Community Development Block Grant Year 39 2013		
	DV714170 –Community Development Block Grant Project Plan FY 2013		
	Other Expenses	\$	371,083.00

Z3.	22A960 – U.S. Dept of HUD Community Development Block Grant Year 39 2013 DV714147 –Community Development Block Grant Admin. Operating 2013		
	Personal Services	\$	55,933.10
	Other Expenses	\$	108,501.00
Z4.	22A960 – U.S. Dept of HUD Community Development Block Grant Year 39 2013 DV714162 –Community Development Block Grant Community Development Operating 2013		
	Personal Services	\$	114,116.00
	Other Expenses	\$	7,000.00

Funding Source: Funding is provided by grants from the United States Department of Housing and Urban Development.

AA.	61A607 – Centralized Custodial Services		<b>BA1301450</b>
	CT577395 – Trade Services		
	Other Expenses	\$	700,000.00

Funding Source: Funding is from charges for services.

**SECTION 2.** That the 2012/2013 Biennial Operating Budget for 2013 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 Funds	<b>BA1301334</b>
	FC451492 –Family and Children First Council PA	
	Other Expenses	\$ 21,000.00
TO:	24A640 – FCFC Public Assistance Funds	
	FC451492 –Family and Children First Council PA	
	Personal Services	\$ 21,000.00

Funding Source: The Department of Children and Family Services is funded by the Health & Human Services Levy Fund.

B. FROM:	01A001 – General Fund		<b>BA1301396</b>
	LA000794 – Law Department		
	Other Expenses	\$	6,000.00
TO:	01A001 – General Fund		
	LA000794 – Law Department		
	Capital Outlay	\$	6,000.00

Funding Source: This appropriation is from the General Fund. The funding period is from January 1, 2013 to December 31, 2013.

C. FROM:	01A001 – General Fund	<b>BA1301399</b>
	DR495515 — Domestic Relation Child Support	
	Personal Expenses	\$ 12,000.00
TO:	01A001 – General Fund	
	DR495515 — Domestic Relation Child Support	
	Capital Outlay	\$ 12,000.00

Funding Source: This appropriation is from the General Fund. The funding period is from January 1, 2013 to December 31, 2013.

D. FROM:	24A510 – Work & Training Admin	<b>BA1301370</b>
	WT137109 –Admin Services-General Manager	
	Personal Services	\$ 260,000.00
	24A510 – Work & Training Admin	
	WT137315 –Work First Services	
	Personal Services	\$ 10,000.00
	24A510 – Work & Training Admin	
	WT137430 –Ohio City NFSC	
	Personal Services	\$ 100,000.00
	24A510 – Work & Training Admin	
	WT137455 –Quincy Place NFSC	
	Personal Services	\$ 850,000.00
	24A510 – Work & Training Admin	
	WT137539 –West Shore NFSC	
	Personal Services	\$ 190,000.00
TO:	24A510 – Work & Training Admin	
	WT137141 – Client Support Services	
	Personal Services	\$ 260,000.00
	24A510 – Work & Training Admin	
	WT137414 – Southgate NFSC	
	Personal Services	\$ 600,000.00
	24A510 – Work & Training Admin	
	WT137463 – VEB Building NFSC	
	Personal Services	\$ 520,000.00
	24A510 – Work & Training Admin	
	WT137943 – Information Services	
	Personal Services	\$ 30,000.00

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

E. FROM: 01A001 – General Fund **BA1301422**  
 FS109645 – Fiscal Operation – Record/License/Outreach  
 Personal Services \$ 175,000.00

TO: 01A001 – General Fund  
 FS109637 – Financial Reporting  
 Personal Services \$ 175,000.00

Funding Source: Funding comes from the General Fund.

F. FROM: 01A001 – General Fund **BA1301423**  
 IT601021 – Information Technology Administration  
 Personal Services \$ 168,000.00

01A001 – General Fund  
 IT601047 - Web & Multi-Media Development  
 Personal Services \$ 123,000.00

01A001 – General Fund  
 IT601088 - Security & Disaster Recovery  
 Personal Services \$ 135,000.00

01A001 – General Fund  
 IT601161 - Communication Services  
 Personal Services \$ 65,000.00

TO: 01A001 – General Fund  
 IT601096 - Engineering Services  
 Personal Services \$ 150,000.00

01A001 – General Fund  
 IT601138 – WAN Services  
 Personal Services \$ 341,000.00

Funding Source: Funding comes from the General Fund.

G. FROM: 01A001 – General Fund **BA1301424**  
 IT601138 – WAN Services  
 Other Expenses \$ 220,000.00

01A001 – General Fund  
 IT601047 – Web & Multi-media Development  
 Other Expenses \$ 300,000.00

01A001 – General Fund  
 IT601179 – User Supply  
 Other Expenses \$ 300,000.00

TO: 01A001 – General Fund  
 IT601088 – Security & Disaster Recovery  
 Other Expenses \$ 120,000.00

01A001 – General Fund  
 IT601096 – Engineering Services  
 Other Expenses \$ 300,000.00

01A001 – General Fund  
 IT601104 – Mainframe Operation Services  
 Other Expenses \$ 400,000.00

Funding Source: Funding comes from the General Fund.

H. FROM: 24A878 – HHS-Office of Re-Entry **BA1301357**  
 HS749069 – HHS-Office of Re-Entry  
 Personnel Services \$ 3,650.00  
 Other Expenses \$ 500.00

TO: 24A878 – HHS-Office of Re-Entry  
 HS749069 – HHS-Office of Re-Entry  
 Capital Outlays \$ 4,150.00

Funding Source: Funding is from the Health and Human Services Levy Fund covering the period January 1, 2013 through December 31, 2013.

I. FROM: 01A001 – General Fund **BA1301378**  
 JA100354 – Justice Services-CECOMS  
 Personnel Services \$ 13,900.00

TO: 01A001 –General Fund  
 JA100354 – Justice Services-CECOMS  
 Other Expenses \$ 12,000.00  
 Capital Outlays \$ 1,900.00

Funding Source: Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

J. FROM: 20A812 – Common Pleas Special Project I **BA1301380**  
 SH456483 – Sheriff’s Dept. Special Project I  
 Capital Expenses \$ 291.00

TO: 20A812 – Common Pleas Special Project II  
 SH456483 –Sheriff’s Dept. Special Project I  
 Personal Services \$ 291.00

Funding Source: Funding is from the Common Pleas Court Special Project I fund with revenues generated by collected court costs covering the period January 1, 2013 through December 31, 2013.



K. FROM:	21A500 – Urban Area Security Initiative (URSI) JA741322 – FY10 Urban Area Security Initiative Capital Expenses	\$ 60,281.84	<b>BA1301403</b>
TO:	21A500 – Urban Area Security Initiative (URSI) JA741322 –FY10 Urban Area Security Initiative Other Operating	\$ 60,281.84	

Funding Source: Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through July 31, 2013.

L. FROM:	21A182 – TASC Drug Court CO753624 – FY 2013 TASC Drug Court Other Operating	\$ 3,767.50	<b>BA1301404</b>
TO:	21A182 – TASC Drug Court CO753624 –FY2013 TASC Drug Court Personal Services	\$ 3,767.50	

Funding Source: Funding is from the Ohio Department of Alcohol and Drug Addiction Services passed through the local board covering the period July 1, 2011 through June 30, 2012 and extended to June 30, 2013.

M. FROM:	20A625 – Solid Waste District Administration SM522466 – Solid Waste District Administration Other Expenses	\$ 14,700.00	<b>BA1301430</b>
TO:	20A625 – Solid Waste District Administration SM522466 – Solid Waste District Administration Capital Outlay	\$ 14,700.00	

Funding Source: The funding source is solid waste generation fees.

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

<u>Fund Nos. /Budget Accounts</u>	<u>Journal Nos.</u>		
A1. FROM:	29A390 – Health and Human Services Levy 2.9 SU513986 – Employment and Family Subsidy 2.9 Transfer Out	\$ 515,912.88	<b>JT1305199</b>
TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$ 515,912.88	

A2. FROM: 29A390 – Health and Human Services Levy 2.9  
SU513986 – Employment and Family Subsidy 2.9  
Transfer Out \$ 134,150.07

TO: 24A510 – Work and Training Admin.  
WT137109 – Administrative Services  
Revenue Transfer \$ 134,150.07

A3. FROM: 29A391 – Health and Human Services Levy 4.8  
SU514430 – Employment and Family Subsidy 4.8  
Transfer Out \$ 841,752.60

TO: 24A510 – Work and Training Admin.  
WT137109 – Administrative Services  
Revenue Transfer \$ 841,752.60

A4. FROM: 29A391 – Health and Human Services Levy 4.8  
SU514430 – Employment and Family Subsidy 4.8  
Transfer Out \$ 218,876.43

TO: 24A510 – Work and Training Admin.  
WT137109 – Administrative Services  
Revenue Transfer \$ 218,876.43

Funding Source: The funding source is the Health and Human Services Levy Fund.

B. FROM: 20A891 –Common Pleas HHS Subsidy **JR1301704**  
CO456517 – Common Pleas HHS Subsidy  
Transfer Out \$ 538,528.81

TO: 29A391 – Health & Human Services Levy 4.8  
ND514513-Health & Human Services 4.8 Mill Levy Revenue  
Revenue Transfer \$ 538,528.81

Funding Source: Health and Human Services Mill Levy Fund.

C. FROM: 21A837 – State Homeland Security (SHSG) **JT1305196**  
JA763441 – State Homeland Security (SHSP) 2010/2013  
Transfer Out \$ 22,733.44

TO: 21A900 – Regional Collaboration Project  
JA753483-Regional Collaboration Project 2010/2013  
Revenue Transfer \$ 22,733.44

Funding Source: Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through May 31, 2013.

D. FROM: 21A218 – State SHSG-Law Enforcement **JT1305197**  
JA767913 – FFY10 State Homeland Security-Law Enforcement 10/13  
Transfer Out \$ 115,014.47

TO: 21A342 – Northeast Ohio Regional Fusion Center FY09  
 JA767996-Northeast Ohio Regional Fusion Center –FY09 (SHSPLE)  
 Revenue Transfer \$ 115,014.47

Funding Source: Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through March 31, 2013.

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

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

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

Yeas:

Nays:

\_\_\_\_\_  
 County Council President Date

\_\_\_\_\_  
 County Executive Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

Journal CC011  
August 13, 2013



EDWARD FITZGERALD  
Cuyahoga County Executive

CUYAHOGA COUNTY  
FISCAL OFFICER



**August 6, 2013**

**Clerk of County Council**

**Dear Ms. Schmotzer:**

A brief summary of the fiscal items that will be submitted for consideration for adoption on first reading at the regular County Council meeting scheduled for August 13, 2013, are presented below.

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

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

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

**Q2 – Recommended based on 2013 Second Quarter Review.**

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
<b>Q2</b> - Educational Assistance Subsidy – To appropriate subsidy to the Family & Children First Council to provide scholarships, loans, grants and other forms of financial assistance to enable participation in post-secondary education. Funding is from the General Fund.	\$380,000.00
<b>Q2</b> - Family & Children First Council – Decreasing appropriation from prior year contract decertification and advertising. Funding is from the Health & Human Services Levy Fund.	-\$201,152.01
Homeless Services – Additional appropriation to cover personal services and controlled costs through year-end. Funding is from the Health & Human Services Levy Fund.	\$52,150.00
Children & Family Services – Decreasing appropriation from Tapestry System of Care and a corresponding increase to Administrative Services to cover the cost of the new door and security upgrade for the Jane Edna Hunter building. Funding is from federal and state revenues as well as the Health & Human Services Levy Fund (\$175,000).	\$0.00
<b>Q2</b> - College Savings Program – To appropriate the Cuyahoga County Executive College Savings Fund Program account program. Funding is from the General Fund.	\$1,950,000.00
Cuyahoga Support Enforcement Agency/Fatherhood Initiative - A decrease from the Child Support Enforcement Agency with a corresponding increase to the Fatherhood Initiative to cover unbudgeted controlled costs. Funding is from the Health & Human Services Levy Fund (\$10,000).	\$0.00
<b>Q2</b> - Public Defender – Additional appropriation to support the implementation of the Archer Classification Study. Funding is from the General Fund (\$139,700) and the Community Services Fund (\$13,900).	\$153,600.00
<b>Q2</b> - Juvenile Court – Additional appropriation to cover a contract for health care services and additional electronic monitoring expenses. Funding is from the Health & Human Services Levy Fund.	\$634,175.00
<b>Q2</b> - Miscellaneous Obligations – Additional appropriation to cover the lease settlement for the Ameritrust property, associated legal fees, municipal public defender costs and countywide memberships. Funding is from the General Fund.	\$292,781.00
<b>Q2</b> - Prisoner Board & Care – Additional appropriation to cover medical payments and housing costs for inmates housed in municipal jails. Funding is from the General Fund.	\$194,886.00
<b>Q2</b> - Sheriff – Additional appropriation to cover medical payments for inmates requiring medical care performed outside the jail. Funding is from the General Fund.	\$792,814.00
<b>Q2</b> - Sheriff – Additional appropriation for the Sheriff’s Law Enforcement account to cover increased vehicle	\$176,907.00

chargebacks. Funding is from the General Fund.	
Human Resources – Additional appropriation to cover employee training and staff development through year-end. Funding is from the General Fund.	\$10,000.00
<b>TOTAL</b>	<b>\$4,436,160.99</b>

<b>Other Operating Funds</b>	<b>Amount</b>
<b>Q2</b> - Medical Examiner – Additional appropriation to cover fringe benefits for additional staff as well as testing supplies for the sexual assault kits. Funding is from fees for autopsies to other counties and a General Fund Subsidy.	\$415,000.00
<b>Q2</b> - Fiscal Office/Procurement & Diversity – Additional appropriation to cover the extended contract certification for county supplies. Funding is from charges to user agencies.	\$200,000.00
Clerk of Courts – Additional appropriation for the Computerization Fund to cover a software purchase. Funding is from revenue generated from court costs.	\$32,083.00
Sheriff – Additional appropriation to cover personal services through year-end. Funding is from the Common Pleas Court Special Project I fund.	\$7,092.00
Development – To appropriate matching funds received from the city of East Cleveland for the Lead Hazard Reduction Grant. Funding is from matching funds received from municipalities.	\$42,365.00
Development – To appropriate reimbursement funds received from homeowners for the Neighborhood Stabilization Program.	\$351,918.95
Development – Additional appropriation to cover the payment of fees, interest and principal to the U.S. Department of Housing and Urban Development Section 108 Collections Account. Funding is provided through repayments from loan recipients.	\$43,901.10
Public Works/Facilities Management – Additional appropriation to cover other expenses. Funding is from charges for services.	\$700,000.00
<b>TOTAL</b>	<b>\$1,792,360.05</b>

<b>Grants/Projects</b>	<b>Amount</b>
Homeless Services – To appropriate the Continuum of Care Shelter + Care Renewal 228 Unit (\$1,383,696.00 and the Shelter + Care Renewal SRA (\$371,928.00) Program grants from the U.S. Department of Housing and Urban Development.	\$1,755,624.00
Development – Decreasing appropriation to reflect reconciliation of actual grant funding. Funding is from the U.S. Department of Housing & Urban Development	-\$86,874.00
Development – To appropriate various Community Development Block grants from the U.S. Department of Housing and Urban Development.	\$839,428.10
<b>TOTAL</b>	<b>\$2,508,178.10</b>

<b>Total Additional Appropriations - All Funds</b>	<b>\$9,536,699.14</b>
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The following represents the overall changes made to the Annual Appropriation Measure for 2013 since its adoption on December 11, 2012 Resolution R2012-0232. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

<b>APPROPRIATION STATUS SUMMARY:</b>	<b>08/13/2013 Agenda</b>	<b>Year to Date*</b>	<b>Adjusted Annual Appropriation</b>
General Fund Impact	\$ 3,937,088.00	\$ 361,708,846.00	\$ 378,425,978.49
HHS Levy Impact	\$ 485,172.99	\$ 222,615,901.00	\$ 206,502,911.39
Other Fund Impact	\$ <u>4,314,438.15</u>	\$ <u>919,467,552.00</u>	\$ <u>995,900,965.51</u>
<b>Total Impact</b>	<b>\$ 8,736,699.14</b>	<b>\$ 1,503,792,299.00</b>	<b>\$ 1,580,829,855.39</b>

\* 2013 appropriation levels adopted by resolution R2012-0232 on December 11, 2012.

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

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Family & Children First Council – Realigning appropriation to cover projected increase in salary and fringe benefits through year-end. Funding is from the Health & Human Services Levy Fund.	\$21,000.00
<b>Q2</b> - Law Department – Realigning appropriation to cover the purchase of computers for new personnel. Funding is from the General Fund.	\$6,000.00
<b>Q2</b> - Domestic Relations – Realigning appropriation within the Child Support division to cover the purchase of furniture and equipment for new personnel. Funding is from the General Fund.	\$12,000.00
Job & Family Services/Employment & Family Services – Realigning appropriation within the division to cover projected personal services through year-end. Funding is from federal and state revenue as well as the Health & Human Services Levy Fund.	\$1,410,000.00
<b>Q2</b> - Fiscal Office/Operations – Realigning appropriation for the collection of lodging tax function from Operations to Financial Reporting. Funding is from the General Fund.	\$175,000.00
<b>Q2</b> - Information Technology – Realigning appropriation within the Information Technology divisions to cover personal services (\$491,000) and other operating expenses (\$820,000) through year-end. Funding is from the General Fund.	\$1,311,000.00
Office of ReEntry – Realigning appropriation within the Office of ReEntry to cover the purchase of computer equipment. Funding is from the Health & Human Services Levy Fund.	\$4,150.00
Justice Services/CECOMS – Realigning appropriation to cover emergency roof repair of the Highland Hills tower site and furniture purchase. Funding is from the General Fund.	\$13,900.00
<b>TOTAL</b>	<b>\$2,953,050.00</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Sheriff – Realigning appropriation to cover personal services. Funding is from revenue generated from court costs.	\$291.00
<b>Q2</b> - Solid Waste District – Realigning appropriation to cover the purchase of audio visual equipment. Funding is from solid waste generation fees.	\$14,700.00
<b>TOTAL</b>	<b>\$14,991.00</b>

<b>Grants/Projects</b>	<b>Amount</b>
Justice Services – Realigning appropriation within the Urban Area Security Initiative (URSI) grant to cover contractual services and a cash transfer. Funding is from the U.S. Department of Homeland Security.	\$60,281.84
Common Pleas Court – Realigning appropriation within the Fiscal Year 2013 Treatment Alternatives to Street Crimes Drug Court to prepare for grant closure. Funding is from the Ohio Department of Alcohol and Drug Addiction Services.	\$3,767.50
<b>TOTAL</b>	<b>\$64,049.34</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$3,032,090.34</b>
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**Cash Transfer Summary** – Operating transfers support operating expenditures, related to a cash matches for a grants, transfer of taxes or fees to a debt service fund, transfers from the General Fund to a capital project fund or operating subsidies to special revenue funds, enterprise funds, or internal service funds. This type of transaction posts as an expenditure and sufficient appropriation must be available to process the transaction.

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Health & Human Services – Cash transfers to pay the second quarter mandated share of Temporary Assistance to Needy Families (TANF) and Non-TANF related administration for Medicaid, and Food related expenditures during a calendar year.	\$1,710,691.98
Common Pleas HHS Subsidy A cash transfer to return unused portion of subsidy to the Health & Human Services Levy Fund and close-out the account.	\$538,528.81
<b>TOTAL</b>	<b>\$2,249,220.79</b>

<b>Grants/Projects</b>	<b>Amount</b>
Justice Services – A cash transfer to reimburse April & May expenses through an approved intra agency agreement between Public Safety/Justice Services and Emergency Management for the Regional Collaboration Project grant from the U.S. Department of Homeland Security.	\$22,733.44
Justice Services – A cash transfer – A cash transfer to reimburse April & May expenses through an approved intra agency agreement between Public Safety/Justice Services and the Sheriff’s Office for the Northeast Ohio	\$115,014.47

Regional Fusion Center Law Enforcement grant from the U.S. Department of Homeland Security.	
<b>TOTAL</b>	<b>\$137,747.91</b>
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<b>Total Cash Transfers - All Funds</b>	<b>\$2,386,968.70</b>

Thank you for your consideration regarding this matter.

Sincerely,



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



**MEMORANDUM**

To: Wendy Finn  
Cc: Chris Murray, Sybil Haney, David Merriman  
From: Ken Surratt, Special Assistant to the County Executive  
Subject: College Savings Account Program Budget  
Date: June 6, 2013

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The projected annual budget for the College Savings Account Program will be \$1.95 million. The budget includes:

- \$1.55 million - annual account investment at \$100/student
- \$75,400 – program staff
- \$199,600 – program marketing and outreach, printing and mailing
- \$125,000 – technology and contracting

Three staff will support the development and implementation of the program. One position is based in the Executive’s office and another in Invest in Children. Only one position will be funded out of the College Savings Account Program fund. All other costs are programmatic and necessary to develop the infrastructure to monitor and report on the program as well as inform the community of the new program.

<b>Account</b>	<b>Budget</b>
15,500 College Savings Accounts x \$100.00 ea.*	\$1,550,000.00
<b>Personnel</b>	<b>Budget</b>
Salary	\$58,000.00
-Special Assistant	\$0.00
-Public Information Officer	\$0.00
-Fiscal Analyst	\$56,000.00
Benefits	\$17,400.00
Total salary and benefits	\$75,400.00
<b>Other Costs</b>	<b>Budget</b>
Marketing/Outreach	\$100,000.00
Printing	\$50,000.00
Mailing	\$49,600.00
IT	\$25,000.00
Contracting	\$100,000.00
Total	\$324,600.00

**Total Budget** **\$1,950,000.00**

## MEMORANDUM

\*Budget Note: The County anticipates that fluctuation in kindergarten enrollments will be managed through offsets in Other Costs. Free balance from attrition and account "wilt" are not accounted for in the above budget; however we project 20% attrition each year that can be used for reinvestment or other repurposing within the program.

**Recommendation for Appropriation Request**

<b>Request Description</b>	Appropriation Increase
<b>Requesting Agency</b>	Public Defender
<b>Funding Source</b>	General Fund
<b>Total Impact</b>	\$83,820
<b>Status</b>	Recommended
<b>Agenda Date</b>	8/18/2013

**Summary of Request**

Request for additional appropriation totaling \$153,600 to support the implementation of the recommendations in the Archer Classification Study in the Public Defender’s Office.

**Background Information**

County Council requested a review of salaries paid in the Offices of the Public Defender and County Prosecutor relative to the approved classification plan for non-bargaining staff (in the Public Defender’s Office). This review addressed inequities in pay between bargaining staff and the supervisors, who were earning less than subordinate staff, and sought to more accurately align salaries for support staff with the requirements of their positions. The resulting study indicated that nearly 85% of staff were earning below the minimums in the approved classification plan: the recommendations call for increasing salaries to the minimums (no steps for longevity).

**OBM Recommendation and Impact Statement**

OBM recommends approving the request for additional appropriation to support the implementation of the Archer Study. This action addresses gross salary inequities and will contribute to improving morale in the Office of the Public Defender.

The recommendation is to adjust salaries retroactive to January 2013 with a total annual cost of \$153,600. It should be noted, however, that the General Fund impact is less after factoring out the portion covered under the contract with the City of Cleveland for representation in Cleveland Municipal Court (\$13,900) and when taking into consideration the 40% reimbursement from the State Public Defender’s Office. **The annual impact to the General Fund of this request is \$83,820.**



DEPARTMENT OF FISCAL  
RESOURCES

**COURT OF COMMON PLEAS  
JUVENILE COURT DIVISION**

COUNTY OF CUYAHOGA  
9300 QUINCY AVENUE  
CLEVELAND, OHIO 44106  
(216) 443-3520  
FAX: (216) 443-3507  
OHIO RELAY SERVICE 711

**MEMORANDUM**

TO: Matthew Rubino  
Office of Budget and Management

FROM: Nick Valukievic  
Common Pleas Court Juvenile Division

CC: Thomas O'Malley, Marita Kavalec, Joseph Telatnik, Sybil Haney, Wendy Feinn

DATE: July 23, 2013

SUBJECT: ADDITIONAL APPROPRIATION METRO HEALTH SERVICES

Please process the attached request for additional appropriations.

The added appropriation is needed to fund an additional half year of Metro Health services. The Court's 2013 appropriation was approximately \$800,000 for the fiscal year. The new negotiated contract covers the period July 1, 2013 through June 30, 2014, a 12 month period. It is also approximately \$400,000 more than the Court's 2013 appropriation for health services. The certification requires 12 months of funding. November 2012 through June 2013 was paid on board vouchers and totaled more than half of the 2013 appropriation which has been expended.

Funding will allow the Metro contracted services to go forward without other restrictions placed on Juvenile Court's budget. If not funded, major budget realignment will have to take place delaying payments and increasing the possibility of NSF conditions.

The attached spreadsheet outlines the request for \$634,175.00. The Court currently processes the payments and is funded in JC1078524.0265. We request funding in the same index/sub object. Please respond as so as possible to prevent unnecessary delays in the contracting process.

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**Department of Human Resources  
1219 Ontario Street  
Cleveland, Ohio 44111**

**MEMORANDUM**

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**TO:** Matthew Rubino, Director, Office of Budget & Management  
Sybil Haney, Senior Analyst, Office of Budget & Management  
Tim Jackson, Analyst, Office of Budget & Management

**FROM:** Lisa S. Durkin, Deputy Director Operations, HR

**DATE:** July 30, 2013

**RE:** Request for Additional Appropriation

**CC:** Elise Hara, Director & Employment Counsel, HR

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At this time, the Department of Human Resources is requesting an additional appropriation in the amount of \$10,000.00 for training and staff development. These funds will be utilized to send approximately eight employees to Arbitration Training, a skill that is integral in Employment & Labor Relations. Also, one employee will attend work flow analysis training. Any leftover funds from this request will be utilized for the ongoing job fair entry fees that the Recruitment and Retention Department continues to attend.

This request is being made because the annual \$30,000.00 training funds were not included in the 2013 budget. I have spoken with Sybil and Tim regarding this issue, and we will correct for this oversight in the coming biennial budget cycle.

We respectfully request your consideration for this additional appropriation. Thank you.



## DEPARTMENT OF PUBLIC WORKS

### MEMORANDUM

**TO:** Matt Rubino, Director - Office of Budget and Management

**FROM:** Leesa Priah, Public Works – Finance Division

**SUBJECT:** Additional Appropriation  
Fund / Subfund: 61A/607  
Index Code: CT577395

**DATE:** August 1, 2013

To cover the cost of building materials and supplies in the Trades Services budget thru year end, please request additional appropriation as follows:

Object	022	Commodities	\$	<u>700,000.00</u>
		Total	\$	700,000.00

Should you have any questions please call me at 698-2513. Thank you.

#### Attachments

**CC:** Mike Chambers  
Kendra Zusy  
Sybil Haney  
Tim Jackson

## MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council

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

DATE: August 2, 2013

RE: Agenda Items

The Office of Budget & Management is requesting that the following fiscal items be presented to the members of County Council for their consideration for approval on first reading at the meeting of August 13, 2013. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

### **Resolution: Additional Appropriations**

A.	01A001 – General Fund		<b>BA1301327</b>
	SU514174 – Educational Assistance Subsidy		
	Other Expenses	\$	380,000.00

This subsidy appropriation is requested to setup the General Fund subsidy account to the Family and Children First Council in support of the Cuyahoga County Educational Assistance Program to provide scholarships, loans, grants and other forms of financial assistance for residents of the County that will enable them to participate in post secondary education, including vocational education and job training and retraining. The resolution (R2013-0087) was approved by the County Council on June, 11 2013.

B.	24A640 – FCFC Public Assistance Funds		<b>BA1301332</b>
	FC451492 –Family and Children First Council PA		
	Other Expenses	\$	(201,152.01)

Appropriation decrease is requested to reduce excess appropriations in Family and Children First Council for encumbrances that were recently decertified, as a result of unused funds earmarked for prior year contractual services and advertising expenses. The Family and Children First Council funding source is primarily the Health and Human Services levies.

C.	24A641 –PA Homeless Services		<b>BA1301333</b>
	HS158097 – PA Homeless Services		
	Personal Services	\$	8,000.00
	Other Expenses	\$	44,150.00

Appropriation increase is requested to provide additional appropriations to The Office of Homeless Services to cover projected increases in salary, fringes and controlled services cost. The Office of Homeless Services primary funding source is the Health and Human Services Levy Fund.

Fiscal Office  
Office of Budget & Management  
1219 Ontario Street, Cleveland, OH 44113, (216) 443-7220, FAX (216) 443-8193  
Ohio Relay Service (TTY) 711



D.	24A435 – Cuyahoga Tapestry System of Care	<b>BA1301329</b>
	CF135004 – DCFS-Cuy Tapestry System of Care	
	Other Expenses	\$ (175,000.00)

The Department of Children and Family Services requests an appropriation decrease along with a corresponding increase, in order to cover the cost of the new doors and security upgrade for the Jane Edna Hunter building. This appropriation decrease is requested in order to transfer funds within index codes in Children and Family Services.

E.	24A301 – Children & Family Services	<b>BA1301330</b>
	CF135467 – Administrative Services - CFS	
	Other Expenses	\$ 175,000.00

The Department of Children and Family Services requests an appropriation increase along with a corresponding decrease, in order to cover the cost of the new doors and security upgrade for the Jane Edna Hunter building. This appropriation increase is requested in order to transfer funds within index codes in Children and Family Services.

F.	22A678 – Shelter + Care Renewal – SRA	<b>BA1301335</b>
	HS754200 – Shelter + Care Renewal ‘12 SRA	
	Other Expenses	\$ 1,383,696.00

The Office of Homeless Services requests additional appropriations in order to provide appropriations for The Office of Homeless Services recent award renewal from the United States Department of Housing & Urban Development in connection with the Continuum of Care. In support of the Homeless Assistance programs in the amount of \$1,383,696.00 covering the period July 1, 2013 through June 31, 2015 for the Shelter Plus Care program providing 228 units rent subsidies for disabled, homeless individuals and families.

G.	22A786 – Shelter + Care ‘12 Renewal - SRA	<b>BA1301336</b>
	HS754192 – Shelter + Care ‘12 Renewal - SRA	
	Other Expenses	\$ 371,928.00

The Office of Homeless Services requests additional appropriations in order to provide appropriations for The Office of Homeless Services recent award renewal from the United States Department of Housing & Urban Development in connection with the Continuum of Care. In support of the Homeless Assistance programs in the amount of \$371,928.00 covering the period July 1, 2013 through June 31, 2015 for the Shelter Plus Care program providing rent subsidies for disabled, homeless individuals and families.

H.	01A001 – General Fund	<b>BA1301337</b>
	SV102053 – College Savings Program	
	Personal Services	\$ 75,400.00
	Other Expenses	\$ 1,874,600.00

Appropriation is requested to setup funds for the College Savings Account program in support of the Cuyahoga County Executive College Savings Fund Program to provide kindergarten residents of the County with a startup for college savings accounts. The Cuyahoga County College Savings Account Program is designed to increase college and vocational school graduate rates for County residents. The County will deposit \$100 for each incoming kindergarten student. A deposit-only account would then be established for all eligible children except those whose parents opt out. The program will create a flexible college savings platform wherein families can

deposit additional funds and intermediaries such as schools districts, foundations, and special purpose programs will potentially provide program incentives and matching funds.

I.	20A600 — Cuyahoga Support Enforcement Agency SE496000 – Child Support Enforc Agency Other Expenses	\$ (10,000.00)	<b>BA1301394</b>
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The Child Support Enforcement Agency is requesting a reduction in appropriation that will be offset by an increase in appropriation to the Fatherhood Initiative for the cost of unbudgeted Controlled Costs. This appropriation will return to the Cuyahoga Support Enforcement Agency Fund Subfund of the SR-Hlth & Comm Serv Fund, which was appropriated from state funds and the Health and Human Service Levy. The funding period is from January 1, 2013 to December 31, 2013.

J.	20A606 — Cuyahoga Support Enforcement Agency SE507152 – Child Support Enforc Agency Other Expenses	\$ 10,000.00	<b>BA1301398</b>
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The Fatherhood Initiative is requesting an increase in appropriation that was offset by a decrease in appropriation to the Child Support Enforcement Agency. This appropriation will come from the Fatherhood Initiative Subfund of the SR-Hlth & Comm Serv Fund, which is funded by the Health and Human Services Levy Fund. The funding period is from January 1, 2013 to December 31, 2013.

K.	20A076 – Cuy Co Reg Forensic Science Lab SR CR180265 – Cuy Co Reg Forensic Science Lab SR Personal Services Other Expenses	\$ 365,000.00 \$ 50,000.00	<b>BA1302184</b>
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This is a request to increase appropriations to the Cuyahoga County Regional Forensic Science Laboratory Special Revenue Fund index code to cover staff added for the Sexual Assault Unit, additional fringe benefits that were the result of the settlement payout, and supplies related to increased testing of sexual assault kits. Funding is from fees for autopsies to other counties and a subsidy from the General Fund covering the period January 1, 2013 through December 31, 2013.

L.	01A001 — General Fund PD140053 – Public Defender Personal Services	\$ 139,700.00	<b>BA1301421</b>
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The Public Defender is requesting an increase in appropriation to support the implementation of the recommendations in the Archer Classification Study of the Public Defender’s Office. This appropriation will come from the General Fund, although it is subject to a 40% reimbursement from the state. The funding period is from January 1, 2013 to December 31, 2013.

M.	25A804 — Public Defender Cleve Municipal Div PD141028 – Public Defender Cleve Municipal Div Personal Services	\$ 13,900.00	<b>BA1301421</b>
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The Public Defender is requesting an increase in appropriation to support the implementation of the recommendations in the Archer Classification Study of the Public Defender’s Office for personnel in the Cleveland Municipal Division. This appropriation will come from the Health and Community Services Fund, and is

subject to reimbursement from a contract with the City of Cleveland. The funding period is from January 1, 2013 to December 31, 2013.

N.	64A601 – County Office Supply Contract		<b>BA1301426</b>
	FS109751 – Fiscal – County Supplies		
	Other Expenses	\$	200,000.00

The Fiscal Office/Office of Procurement and Diversity manages the County Supplies contract. OPD extended its contract for three months while negotiating a new contract and subsequently certified a 12 months for the new contract. This requires 15 months of certification from the 2013 budget. However, an additional three months' certification will carry forward to the 2014 budget. This request would provide the appropriation for the additional three months of contract certification. Revenues come from charges to user agency for the supplies purchases.

O.	20A811 – Juvenile Court Detention & Probation Services		<b>BA1301427</b>
	JC107524 – Juvenile Court Detention Services		
	Other Expenses	\$	634,175.00

The County is entering into a consolidated contract for health care services. Before this contract, Juvenile Court had paid health care expenses as they accrued; each budget had 12 months of expenditures. They will now certify a contract for services through June, 2014, which requires appropriation for an additional six months of expenses in the current year budget. This increase will also provide for additional electronic monitoring expenses for 2013. Certification for approximately six months of expenses will carry forward into the 2014 budget. Funding comes from the Health and Human Services Levy Fund.

P.	01A001 –General Fund		<b>BA1301352</b>
	MI512657- Miscellaneous		
	Other Expenses	\$	292,781.00

Provide additional appropriations in the Miscellaneous Obligations account based on second quarter review for lease settlement at Ameritrust property, associated legal fees, municipal public defender costs and county wide memberships. Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

Q.	20A695 –Clerk of Courts Computerization		<b>BA1301353</b>
	CL576124- Clerk of Courts Computerization		
	Other Expenses	\$	32,083.00

Provide additional appropriations in the Clerk of Courts Computerization fund for software. Funding is from a \$10 court cost. Sufficient funds exist in this special revenue fund for the additional appropriations. Funding covers the period January 1, 2013 through December 31, 2013.

R.	01A001 –General Fund		<b>BA1301354</b>
	AE511451- Board & Care of Prisoners		
	Other Expenses	\$	194,886.00

Provide additional appropriations in the Board & Care of Prisoners account based on second quarter review for medial payments and costs for inmates housed in municipal jails. Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

R.	20A812 –Common Pleas Special Project I SH456483- Sheriff’s Dept. Special Project I Personal Services	\$	7,092.00	<b>BA1301379</b>
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Provide additional appropriations in the Sheriff’s Department Special Project I account for projected FLEX benefits (specifically hospitalization). . Funding is from the Common Pleas Court Special Project I fund with revenues generated by collected court costs covering the period January 1, 2013 through December 31, 2013.

S.	01A001 –General Fund SH350470- Jail Operations-Sheriff Other Expenses	\$	792,814.00	<b>BA1301382</b>
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Provide additional appropriations in the Sheriff’s Department Jail Operations account based on second quarter review for medical payments to various doctors, labs, testing facilities and Metro Hospital for inmates requiring medical care performed outside the jail. Funding is from General Fund covering the period January 1, 2013 through December 31, 2013.

T.	01A001 –General Fund SH350272- Law Enforcement-Sheriff Other Expenses	\$	176,907.00	<b>BA1301383</b>
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Provide additional appropriations in the Sheriff’s Department Law Enforcement account based on second quarter review for vehicle chargebacks resulting from a rate increase in 2013 from the original budget that includes a 24% reserve component for vehicle replacement. Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

U.	01A001 – General Fund HR018010 – Human Resources General Fund Other Expenses	\$	10,000.00	<b>BA1301429</b>
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Appropriation is requested to provide an employee training and staff development initiative for the Department of Human Resources. This request is made in lieu of the annual appropriation of \$30,000 for training and staff development at the Department. The Employment and Labor Relations staff will be enrolled in arbitration training to improve negotiation skills. A Recruitment and Retention employee will attend work flow analysis training. The remaining funds will pay entry fees at job fairs for the Recruitment and Retention Unit. The funding source is the General Fund.

V.	22A040 – 2011 Lead Hazard Reduction Grant DV708974 – Lead Hazard Reduction Grant Other Expenses	\$	42,365.00	<b>BA1301432</b>
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Appropriation is requested to increase the lead hazard reduction grant program at the Department of Development. The program eliminates lead paint hazards in Cuyahoga County. As municipal match funds are received by the Department, they are deposited back into the program to continue these efforts. This deposit was from the City of East Cleveland. The funding source is matching funds from municipalities.

W.	22A003 – 2008 Neighborhood Stabilization Program DV712810 – 2008 Neighborhood Stabilization Program Project Plan Other Expenses	\$	351,918.95	<b>BA1301433</b>
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Appropriation is requested to continue the 2008 Neighborhood Stabilization Program for the Department of Development. This is part of the Department's community development division that aides in the rehabilitation of distressed neighborhoods within the County. Homeowners reimburse certain expenses related to the rehabilitation costs of older structures. As program income is received by the Department, it is deposited back into the grant to allow future project funding. The funding source is reimbursements from homeowners.

X.	22A105 – U. S. Dept of Housing and Urban Development (HUD) Section 108	<b>BA1301434</b>
	DV711606 – U. S. Dept of Housing and Urban Development Section 108	
	Other Expenses	\$ 43,901.10

Appropriation is requested for the payment of fees, interest, and principal for the United States Department of Housing and Urban Development Section 108 Collections Account. Payments are due according to the revised fee schedule of the Fiscal Agency Agreement between the Department of Development and the United States Department of Housing and Urban Development. Funding is provided through repayments from loan recipients that are collected in a Cuyahoga County Treasurer account for this purpose.

Y1.	22A962 – US Dept of HUD Emergency Solutions Grant 2013	<b>BA1301449</b>
	DV714212 – U. S. Dept of Housing and Urban Development Emergency Solutions Grant 2013	
	Personal Services	\$ (4,500.00)
	Other Expenses	\$ (76,779.00)

Y2.	22A960 – U.S. Dept of HUD Community Development Block Grant year 39 2013	
	DV714154 – U. S. Dept of HUD Community Development Block Grant Economic Development Operating 2013	
	Personal Services	\$ (5,095.00)
	Other Expenses	\$ (500.00)

The Department of Development requests an appropriation decrease for implementation of the United States Department of Housing and Urban Development (HUD) Community Development Block Grant, HOME investment partnership, and Emergency Solutions Grant. These decreases reflect a reconciliation of the actual amount of HUD funding approved for Cuyahoga County in 2013 and the original grant set-up appropriation. The funding allows for implementation and administration of these programs. Funding is provided by grants from the United States Department of Housing and Urban Development.

Z1.	22A961 – U.S. Dept of HUD HOME 2013	<b>BA1301451</b>
	DV714196 – U.S. Dept of HUD HOME Project Plan Fiscal Year 2013	
	Other Expenses	\$ 182,795.00

Z2.	22A960 – U.S. Dept of HUD Community Development Block Grant Year 39 2013	
	DV714170 –Community Development Block Grant Project Plan FY 2013	
	Other Expenses	\$ 371,083.00

Z3.	22A960 – U.S. Dept of HUD Community Development Block Grant Year 39 2013	
	DV714147 –Community Development Block Grant Admin. Operating 2013	
	Personal Services	\$ 55,933.10
	Other Expenses	\$ 108,501.00

Z4.	22A960 – U.S. Dept of HUD Community Development Block Grant Year 39 2013		
	DV714162 –Community Development Block Grant Community Development Operating 2013		
	Personal Services	\$	114,116.00
	Other Expenses	\$	7,000.00

Appropriation is requested for implementation of the United States Department of Housing and Urban Development Community Development Block Grant, HOME investment partnership, and Emergency Solutions Grant by the Department of Development. These amounts reflect the amount of funding approved for Cuyahoga County in 2013. The funding allows for implementation and administration of these programs. Funding is provided by grants from the United States Department of Housing and Urban Development.

AA.	61A607 – Centralized Custodial Services			<b>BA1301450</b>
	CT577395 – Trade Services			
	Other Expenses	\$	700,000.00	

Appropriation is requested to provide additional commodities for the Department of Public Works Facilities Management division. This request is due to higher than budgeted commodities expenses. The funding source is charges for services.

**Resolution: Appropriation Transfers:**

A.	FROM:	24A640 – FCFC Public Assistance Funds FC451492 –Family and Children First Council PA Other Expenses	\$	21,000.00	<b>BA1301334</b>
	TO:	24A640 – FCFC Public Assistance Funds FC451492 –Family and Children First Council PA Personal Services	\$	21,000.00	

The Family and Children First Council requests an appropriations transfer within budget lines in order to provide appropriations to cover the projected increase salary and fringe benefits costs thru year end. The Department of Children and Family Services is funded by the HHS Levy Fund.

B.	FROM:	01A001 – General Fund LA000794 – Law Department Other Expenses	\$	6,000.00	<b>BA1301396</b>
	TO:	01A001 – General Fund LA000794 – Law Department Capital Outlay	\$	6,000.00	

Request to transfer appropriation from Other Expenses to Capital Outlay for the purchase of computers for new personnel. This appropriation is from the General Fund. The funding period is from January 1, 2013 to December 31, 2013.

C.	FROM:	01A001 – General Fund DR495515 — Domestic Relation Child Support Personal Expenses	\$	12,000.00	<b>BA1301399</b>
	TO:	01A001 – General Fund DR495515 — Domestic Relation Child Support Capital Outlay	\$	12,000.00	

Request to transfer appropriation from Personal Expenses to Capital Outlay for the purchase of furniture and equipment for new personnel. This appropriation is from the General Fund. The funding period is from January 1, 2013 to December 31, 2013.

D.	FROM:	24A510 – Work & Training Admin WT137109 –Admin Services-General Manager Personal Services	\$	260,000.00	<b>BA1301370</b>
		24A510 – Work & Training Admin WT137315 –Work First Services Personal Services	\$	10,000.00	
		24A510 – Work & Training Admin WT137430 –Ohio City NFSC Personal Services	\$	100,000.00	

	24A510 – Work & Training Admin WT137455 –Quincy Place NFSC Personal Services	\$	850,000.00
	24A510 – Work & Training Admin WT137539 –West Shore NFSC Personal Services	\$	190,000.00
TO:	24A510 – Work & Training Admin WT137141 – Client Support Services Personal Services	\$	260,000.00
	24A510 – Work & Training Admin WT137414 – Southgate NFSC Personal Services	\$	600,000.00
	24A510 – Work & Training Admin WT137463 – VEB Building NFSC Personal Services	\$	520,000.00
	24A510 – Work & Training Admin WT137943 – Information Services Personal Services	\$	30,000.00

Request to transfer appropriation within the Department of Jobs and Family Services to realign appropriations within divisions to cover projected salary and fringe charges for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

E.	FROM:	01A001 – General Fund FS109645 – Fiscal Operation – Record/License/Outreach Personal Services	\$	175,000.00	<b>BA1301422</b>
	TO:	01A001 – General Fund FS109637 – Financial Reporting Personal Services	\$	175,000.00	

The Fiscal Office administers the collection of the lodging tax. During 2013, this function transferred from the Operations division to the Financial Reporting division. This transfer of salary and benefits appropriation reflects the transfer of this responsibility. Funding comes from the General Fund.

F.	FROM:	01A001 – General Fund IT601021 – Information Technology Administration Personal Services	\$	168,000.00	<b>BA1301423</b>
		01A001 – General Fund IT601047 - Web & Multi-Media Development Personal Services	\$	123,000.00	



01A001 – General Fund  
 IT601088 - Security & Disaster Recovery  
 Personal Services \$ 135,000.00

01A001 – General Fund  
 IT601161 - Communication Services  
 Personal Services \$ 65,000.00

TO: 01A001 – General Fund  
 IT601096 - Engineering Services  
 Personal Services \$ 150,000.00

01A001 – General Fund  
 IT601138 – WAN Services  
 Personal Services \$ 341,000.00

The Dept. of Information Technology began using a new budget structure for the newly consolidated Information Technology services in 2013. The requested intra-agency payroll transfers are based on second quarter budget review to eliminate projected payroll deficits. Funding comes from the General Fund.

G. FROM: 01A001 – General Fund **BA1301424**  
 IT601138 – WAN Services  
 Other Expenses \$ 220,000.00

01A001 – General Fund  
 IT601047 – Web & Multi-media Development  
 Other Expenses \$ 300,000.00

01A001 – General Fund  
 IT601179 – User Supply  
 Other Expenses \$ 300,000.00

TO: 01A001 – General Fund  
 IT601088 – Security & Disaster Recovery  
 Other Expenses \$ 120,000.00

01A001 – General Fund  
 IT601096 – Engineering Services  
 Other Expenses \$ 300,000.00

01A001 – General Fund  
 IT601104 – Mainframe Operation Services  
 Other Expenses \$ 400,000.00

The Dept. of IT began using a new budget structure for the newly consolidated IT services in 2013. During this first year, adjustments have been needed through the first two quarters of activity. The requested transfers are based on second quarter budget review to eliminate projected deficits in contractual services and other operating. Funding comes from the General Fund.

H.	FROM:	24A878 – HHS-Office of Re-Entry		<b>BA1301357</b>
		HS749069 – HHS-Office of Re-Entry		
		Personnel Services	\$	3,650.00
		Other Expenses	\$	500.00
	TO:	24A878 – HHS-Office of Re-Entry		
		HS749069 – HHS-Office of Re-Entry		
		Capital Outlays	\$	4,150.00

Transfer appropriations within the Office of Re-Entry account from personnel that is a result of a termination and from a contract that was decertified to fund laptop computers. Funding is from the Health and Human Services Levy Fund covering the period January 1, 2013 through December 31, 2013.

I.	FROM:	01A001 – General Fund		<b>BA1301378</b>
		JA100354 – Justice Services-CECOMS		
		Personnel Services	\$	13,900.00
	TO:	01A001 –General Fund		
		JA100354 – Justice Services-CECOMS		
		Other Expenses	\$	12,000.00
		Capital Outlays	\$	1,900.00

Transfer appropriations within Public Safety and Justice Services CECOMS account for emergency roof repair at CECOMS Highland Hills tower site and for workstations (CSR-JA130401). Funding is from the General Fund covering the period January 1, 2013 through December 31, 2013.

J.	FROM:	20A812 – Common Pleas Special Project I		<b>BA1301380</b>
		SH456483 – Sheriff’s Dept. Special Project I		
		Capital Expenses	\$	291.00
	TO:	20A812 – Common Pleas Special Project II		
		SH456483 –Sheriff’s Dept. Special Project I		
		Personal Services	\$	291.00

Transfer appropriations within the Sheriff’s Department Special Project I account for projected fringe benefits. Funding is from the Common Pleas Court Special Project I fund with revenues generated by collected court costs covering the period January 1, 2013 through December 31, 2013.

K.	FROM:	21A500 – Urban Area Security Initiative (URSI)		<b>BA1301403</b>
		JA741322 – FY10 Urban Area Security Initiative		
		Capital Expenses	\$	60,281.84
	TO:	21A500 – Urban Area Security Initiative (URSI)		
		JA741322 –FY10 Urban Area Security Initiative		
		Other Operating	\$	60,281.84

Transfer appropriations within Public Safety and Justice Services FY2010 Urban Area Security Initiative grant for projected contractual and operating transfers. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through July 31, 2013.

L.	FROM:	21A182 – TASC Drug Court	<b>BA1301404</b>
		CO753624 – FY 2013 TASC Drug Court	
		Other Operating	\$ 3,767.50
	TO:	21A182 – TASC Drug Court	
		CO753624 –FY2013 TASC Drug Court	
		Personal Services	\$ 3,767.50

Transfer appropriations within the Common Pleas Court Treatment Alternatives to Street Crime (TASC) FY2013 Drug Court grant to allocate appropriations to match expenditures and prepare the grant for closure. Funding is from the Ohio Department of Alcohol and Drug Addiction Services passed through the local board covering the period July 1, 2011 through June 30, 2012 and extended to June 30, 2013.

M.	FROM:	20A625 – Solid Waste District Administration	<b>BA1301430</b>
		SM522466 – Solid Waste District Administration	
		Other Expenses	\$ 14,700.00
	TO:	20A625 – Solid Waste District Administration	
		SM522466 – Solid Waste District Administration	
		Capital Outlay	\$ 14,700.00

Appropriation is requested by the Cuyahoga County Solid Waste Management District to purchase audio-visual equipment for the main conference room at the District’s office. The District holds meetings and presentations with various constituencies that require audio and visual production. This purchase will allow for higher quality presentation material and connectivity with laptop computers. The funding source is solid waste generation fees.

**Resolution: Cash Transfers:**

A1.	FROM:	29A390 – Health and Human Services Levy 2.9 SU513986 – Employment and Family Subsidy 2.9 Transfer Out	\$	515,912.88	<b>JT1305199</b>
	TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$	515,912.88	
A2.	FROM:	29A390 – Health and Human Services Levy 2.9 SU513986 – Employment and Family Subsidy 2.9 Transfer Out	\$	134,150.07	
	TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$	134,150.07	
A3.	FROM:	29A391 – Health and Human Services Levy 4.8 SU514430 – Employment and Family Subsidy 4.8 Transfer Out	\$	841,752.60	
	TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$	841,752.60	
A4.	FROM:	29A391 – Health and Human Services Levy 4.8 SU514430 – Employment and Family Subsidy 4.8 Transfer Out	\$	218,876.43	
	TO:	24A510 – Work and Training Admin. WT137109 – Administrative Services Revenue Transfer	\$	218,876.43	

In accordance with the Ohio Revised Code (ORC) Section 5101.16 the county is required to pay a share of TANF related administration (\$5,430,662) and Non-TANF (\$1,412,106) related administration for Medicaid, Food related expenditures during a calendar year. This represents 3/12 of the total required mandated share that generally is transferred to the corresponding fund on a quarterly basis. This transfer is for July - September 2013. The amount is based on the current State Fiscal Year's requirement. The funding source is the Health and Human Services Levy Fund.

B.	FROM:	20A891 –Common Pleas HHS Subsidy CO456517 – Common Pleas HHS Subsidy Transfer Out	\$	538,528.81	<b>JR1301704</b>
	TO:	29A391 – Health & Human Services Levy 4.8 ND514513-Health & Human Services 4.8 Mill Levy Revenue Revenue Transfer	\$	538,528.81	

To return unused portion of the Health and Human Services Levy subsidy from the Common Pleas Court HHS Subsidy account and close out the account and sub-fund. The balance in the subsidy account is a result of the decision shift funding of the program to the General Fund that was previously funded by the Health and Human Services 4.8 Mill Levy Fund.

C.	FROM:	21A837 – State Homeland Security (SHSG) JA763441 – State Homeland Security (SHSP) 2010/2013 Transfer Out	\$ 22,733.44	<b>JT1305196</b>
	TO:	21A900 – Regional Collaboration Project JA753483-Regional Collaboration Project 2010/2013 Revenue Transfer	\$ 22,733.44	

To reimburse expenses reported on the April and May 2013 financial reports for expenses through an approved intra agency agreement between Public Safety/Justice Services and the Emergency Management for the Regional Collaboration Project grant. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through May 31, 2013.

D.	FROM:	21A218 – State SHSG-Law Enforcement JA767913 – FFY10 State Homeland Security-Law Enforcement 10/13 Transfer Out	\$ 115,014.47	<b>JT1305197</b>
	TO:	21A342 – Northeast Ohio Regional Fusion Center FY09 JA767996-Northeast Ohio Regional Fusion Center –FY09 (SHSPLE) Revenue Transfer	\$ 115,014.47	

To reimburse expenses reported on the April through June 2013 financial reports for expenses through an approved intra agency agreement between Public Safety/Justice Services and the Cuyahoga County Sheriff's Office for the Northeast Ohio Regional Fusion Center-Law Enforcement grant. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through March 31, 2013.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0176

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> authorizing a contract with Alliance Soccer Dome, LLC in the amount of \$54,750.00 for lease of parking spaces located at 6060 West Canal Road, Valley View, for the period 11/15/2012 - 11/14/2015; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of Engineer has submitted a contract for Council's approval with Alliance Soccer Dome, LLC in the amount of \$54,750.00 for lease of parking spaces located at 6060 West Canal Road, Valley View, Permanent Parcel No. 571-07-001 to park trucks, cars, trailers and other related equipment for the period 11/15/2012 to 11/14/2015; and

WHEREAS, the term of the lease is for three (3) years lease. The rental amount of \$4,562.50 shall be paid in twelve (12) quarterly installments for a total of \$18,250.00 per year with the first payment due upon execution of the lease agreement.

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

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

**SECTION 1.** That the Cuyahoga County Council authorizes a contract with Alliance Soccer Dome, LLC in the amount of \$54,750.00 for lease of parking spaces located at 6060 West Canal Road, Valley View, Permanent Parcel No. 571-07-001 to park trucks, cars, trailers and other related equipment for the period 11/15/2012 to 11/14/2015.

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

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided





**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal H. Husani
<b>Type of Request:</b>	Contract/Amendment		
<b>Request Prepared by:</b>	John Myers	<b>Telephone No.</b>	216-698-2517

**SUMMARY OF REQUESTED ACTION:**

**A. SCOPE OF WORK SUMMARY**

Department of Public Works is submitting a Contract with Alliance Soccer Dome, LLC for the use of approximately 50 parking spaces located at 6060 West Canal Road, Valley View, Ohio (PPN #571-07-001) during the period covered by this Agreement to park trucks, cars, trailers and other related equipment.

**Term:**

The Lease Term is for three (3) years; commencing November 15, 2012 and shall expire November 14, 2015. The rent shall be paid in the amount of \$4,562.50 payable in twelve (12) quartely installments. This totals for the three (3) years \$54,750.00 and \$18,250.00 per year. The first payment is due upon execution of this Lease.

**B. PROCUREMENT**

**\*\*OPD review (9-12-12). OK to process as RFP Exemption for the Contracts and Purchasing Board approval.**

**C. CONTRACTOR AND PROJECT INFORMATION**

Landlord/Vendor:  
Alliance Soccer Dome, LLC  
7239 Forestwood Drive  
Cleveland, Ohio 44131

**Primary Ownership:** Michael Sweeney, Managing Member



Principal Property:  
Cuyahoga County Sanitary Engineers  
6100 West Canal  
Valley View, Ohio 44125  
County Council District **6**.

Vendor is registered with IG's office on 3/28/2012 (see attached).

**D. PROJECT STATUS & PLANNING**

This lease of space will be in place for thirty-six (36) months, unless terminated sooner under provisions of the lease. No further action steps are needed or required at this time.

An outside appraisal was done to determine Fair Market Value.

**Total Amount Requested:** \$54,750.00

**Funding:** Sanitary Engineer Funds

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

**Explanation for late submittal:**

Due to Contract negotiation and the return of signed supporting documentation

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

**Funding source:**      **Explanation:**  
Other                      Sanitary Engineer Funds

**Total Amount Requested:**  
\$54,750.00

**ATTACHMENTS:**

Click to download

- [Contract](#)
- [Primary Owner](#)
- [Principal Owner](#)
- [Blue Back Contract Cover](#)
- [Insurance](#)
- [Homeland Security](#)
- [W9](#)
- [Authority to Sign](#)
- [Worker Comp](#)
- [Ethics Training](#)

**History**

**Time**

**Who**

**Approval**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0177

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> making an award on RQ24534 to Everlasting Baptist Church in the amount of \$100,000.00 for sale of the Glenville NFSC Building, located at 12212 St. Clair Avenue, Cleveland; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transaction; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County (“County”) engaged the services of Allegro Realty Advisors (“Allegro”) to conduct an audit of the County’s real-estate needs and come forth with a set of recommendations for the County; and

WHEREAS, Allegro recommended that the County place thirteen (13) properties then owned by the County for sale, including the Glenville NFSC Building located at 12212 St. Clair Avenue, Cleveland, Ohio 44108; and

WHEREAS, the County engaged the services of CBRE, Inc. (“CBRE”), a commercial real estate services firm, to serve as the real estate portfolio program manager, provide brokerage services, and represent the County in connection with the real estate portfolio program; and

WHEREAS, CBRE worked with the County to prepare and issue a request for proposals, RFP24534, (the “RFP”) for the real property consolidation project in accordance with the County’s Contracting and Purchasing Procedures Ordinance; and

WHEREAS, the County received a proposal from Everlasting Baptist Church to purchase the land and all buildings and improvements commonly known as the Glenville NFSC Building (“Glenville NFSC Building”) located at 12212 St. Clair Avenue, Cleveland, Ohio 44108 ; and

WHEREAS, the proposal is to sell the property for One Hundred Thousand and 00/100 Dollars (\$100,000.00); and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RFP24534 for the sale of the Glenville NFSC Building to Everlasting Baptist Church and authorizes the County Executive to enter into a Purchase and Sale Agreement with Everlasting Baptist Church for same.

**SECTION 2.** That the County Executive or his authorized designee is authorized to (a) take all actions, and to execute, acknowledge, deliver and/or file for record (as and where appropriate) (i) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, a Purchase and Sale Agreement and all documents to be executed by the County thereunder, and all financing-related documents (including but not limited to subordination, non-disturbance and attornment agreements, pledges, and security agreements), (ii) all other and further documents, instruments, certificates, agreements, amendments, assignments, subleases, consents, affidavits, certifications, disbursement authorizations, settlement statements, closing statements, proration statements, escrow agreements, escrow instructions, and notices, and (iii) amendments, modifications and supplements to any of the foregoing, that the County Executive may deem necessary or advisable in connection with the consummation of the transactions contemplated hereby, in all cases containing such terms and conditions as may be approved by the County's Director of Law, (b) agree to such payments, prorations, credits, deposits, holdbacks, escrows and other arrangements as may be necessary or advisable in connection therewith to facilitate and/or consummate such transactions, and (c) prosecute and/or defend any actions or proceedings that may be necessary or advisable relative to any of the foregoing matters.

**SECTION 3.** That the Director of Public Works is authorized to administer the project through its milestones.

**SECTION 4.** That all documents to be executed in connection with the transactions contemplated herein be subject to the Law Director's approval as to legal form and correctness.

**SECTION 5.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter.

Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President                      Date

\_\_\_\_\_  
County Executive                                      Date

\_\_\_\_\_  
Clerk of Council                                      Date

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0178

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> making an award on RQ24534 to Olmsted Township Board of Trustees in the amount of \$85,000.00 for sale of the Brentwood Development Site, located at 8544 Usher Road, Olmsted Township; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transaction; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County engaged the services of Allegro Realty Advisors (“Allegro”) to conduct an audit of the County’s real-estate needs and come forth with a set of recommendations for the County; and,

WHEREAS, Allegro recommended that the County place 13 properties then owned by the County for sale, including the Brentwood Development Site on 8544 Usher Road, Olmsted Township; and,

WHEREAS, the County engaged the services of CBRE, Inc. (“CBRE”), a commercial real estate services firm, to serve as the real estate portfolio program manager, provide brokerage services, and represent the County in connection with the real estate portfolio program; and,

WHEREAS, CBRE worked with the County to prepare and issue a request for proposals, RFP # 24534, (the “RFP”) for the real property consolidation project in accordance with the County’s Contracting and Purchasing Procedures Ordinance; and,

WHEREAS, the County received a proposal from Olmsted Township Board of Trustees to purchase the land commonly known as the Brentwood Development Site, located at 8544 Usher Road, Olmsted Township, Ohio 44138; and,

WHEREAS, the proposal is to sell the property for Eighty Five Thousand and 00/100 Dollars (\$85,000.00); and,

WHEREAS, a deposit of Eight Thousand Five Hundred and 00/100 Dollars (\$8,500.00) is due upon the delivery of the Purchase and Sale Agreement; and,

WHEREAS, at or prior to the time of closing, Olmsted Township Board of Trustees shall deposit Twenty Eight Thousand Three Hundred Thirty Three and 33/100 Dollars (\$28,333.33), including the deposit into escrow; and,

WHEREAS, at or prior to the time of closing, Olmsted Township Board of Trustees shall deliver to escrow a cognovit note in the principal amount of Fifty Six Thousand Six Hundred Sixty Six and 00/100 Dollars (\$56,666.67) in favor of the County and a mortgage securing the Note in favor of the County; and,

WHEREAS, at closing, the balance of the purchase price is to be delivered to the County along with the note, mortgage and mortgage policy; and,

WHEREAS, the principal of the note is to be paid in two payments: Twenty Eight Thousand Three Hundred Thirty Three and 33/100 Dollars (\$28,333.33) on the first anniversary of the closing date in 2014, and Twenty Eight Thousand, Three Hundred Thirty Three and 34/100 (\$28,333.34) on the second anniversary of the closing date in 2015; and,

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

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

**SECTION 1.** That the Cuyahoga County Council hereby awards the sale of the Brentwood Development Site to Olmsted Township Board of Trustees and authorizes the County Executive to enter into a Purchase and Sale Agreement.

**SECTION 2.** That the County Executive or his authorized designee is authorized to (a) take all actions, and to execute, acknowledge, deliver and/or file for record (as and where appropriate) (i) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, a Purchase and Sale Agreement and all documents to be executed by the County thereunder, and any and all financing-related documents (including but not limited to subordination, non-disturbance and attornment agreements, pledges, and security agreements), (ii) all other and further documents, instruments, certificates, agreements, amendments, assignments, subleases, consents, affidavits, certifications, disbursement authorizations, settlement statements, closing statements, proration statements, escrow agreements, escrow instructions, and notices, and (iii) amendments, modifications and supplements to any of the foregoing, that the County Executive may deem necessary or advisable in connection with the consummation of the transactions contemplated hereby, in all cases containing such



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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0179

<b>Sponsored by: County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> making an award on RQ24534 to Weston Inc. in the total amount of \$3,420,000.00 for the sale of various County buildings; authorizing leases in connection with said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the projects; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County engaged the services of Allegro Realty Advisors (“Allegro”) to conduct an audit of the County’s real-estate needs and come forth with a set of recommendations for the County; and,

WHEREAS, Allegro recommended that the County place 13 properties then owned by the County for sale, including the Marion Building, Superior Auto Title Building and Hamilton Garage; and,

WHEREAS, the County engaged the services of CBRE, Inc. (“CBRE”), a commercial real estate services firm, to serve as the real estate portfolio program manager, provide brokerage services, and represent the County in connection with the real estate portfolio program; and,

WHEREAS, CBRE worked with the County to prepare and issue a request for proposals, RFP # 24534, (the “RFP”) for the real property consolidation project in accordance with the County’s Contracting and Purchasing Procedures Ordinance; and,

WHEREAS, the County received a proposal from Weston Inc., to purchase the land and all buildings and improvements commonly known as the Marion Building, Superior Auto Title Building, and Hamilton Garage (collectively “Properties”) located at 1276 West Third Street, Cleveland, 44113; 1261 Superior Avenue, Cleveland, 44114; and 1801 St. Clair Avenue, Cleveland, 44114, respectively; and,

WHEREAS, the proposal is to sell the Properties for \$3,420,000.00; and,

WHEREAS, the County is to also lease the Marion Building for at least 3 years for \$83,990.05 per month in rent (the rent includes utilities and the cost to operate and maintain the building); and,

WHEREAS, the County is to also lease the Superior Auto Title Building for at least one year for \$24,022.67 per month in rent (the rent includes the cost to operate and maintain the building) and approximately \$8,583.33 per month in utilities; and,

WHEREAS, the County is also to lease the Hamilton Garage for up to six months for \$19,079.16 per month in rent (the rent includes the cost to operate and maintain the building) and approximately \$2,666.00 per month in utilities; and,

WHEREAS, Weston, Inc. is responsible for all costs associated with repairs to the roof and structural portions of the property and mechanical, electrical, plumbing, and other building systems and for the cost of materials associated with ordinary and necessary maintenance and repairs; and,

WHEREAS, the County will provide the labor for such ordinary and necessary maintenance and repairs during the term; and,

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

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

**SECTION 1.** That the Cuyahoga County Council hereby awards the sale of the Properties to Weston Inc. and authorizes the County Executive to enter into a Purchase and Sale Agreement and Leases with Weston Inc. (or one of its affiliated entities) for same.

**SECTION 2.** That the County Executive or his authorized designee is authorized to (a) take all actions, and to execute, acknowledge, deliver and/or file for record (as and where appropriate) (i) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, a Purchase and Sale Agreement, the lease agreements and all documents to be executed by the County thereunder, and all financing-related documents (including but not limited to subordination, non-disturbance and attornment agreements, pledges, and security agreements), (ii) all other and further documents, instruments, certificates, agreements, amendments, assignments, subleases, consents, affidavits, certifications, disbursement authorizations, settlement statements, closing statements, proration statements, escrow agreements, escrow instructions, and notices, and (iii) amendments, modifications and supplements to any of the foregoing, that the County Executive may deem necessary or advisable in connection with the consummation of the transactions contemplated hereby, in all

cases containing such terms and conditions as may be approved by the County's Director of Law, (b) agree to such payments, prorations, credits, deposits, holdbacks, escrows and other arrangements as may be necessary or advisable in connection therewith to facilitate and/or consummate such transactions, and (c) prosecute and/or defend any actions or proceedings that may be necessary or advisable relative to any of the foregoing matters.

**SECTION 3.** That the Director of Public Works is authorized to administer the project through its milestones and be responsible for any ongoing approval rights under the Lease.

**SECTION 4.** That all documents to be executed in connection with the transactions contemplated herein be subject to the Law Director's approval as to legal form and correctness.

**SECTION 5.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County, the preservation of public peace, health, or safety in the County, and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 6.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0180

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer</b>	<b>A Resolution</b> authorizing an agreement with State of Ohio, Office of the Auditor in the amount not-to-exceed \$647,800.00 for an annual audit for Calendar Year 2012 for the period 4/30/2013 - 12/31/2013; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Fiscal Office has submitted an agreement with State of Ohio, Office of the Auditor in the amount not-to-exceed \$647,800.00 for an annual audit for Calendar Year 2012 for the period 4/30/2013 – 12/31/2013; and,

WHEREAS, pursuant to Ohio Revised Code Section 117.11, the auditor of the state shall audit each public office annually; and,

WHEREAS, this project is funded by the General Fund and the schedule of payments will be by monthly invoice; and,

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

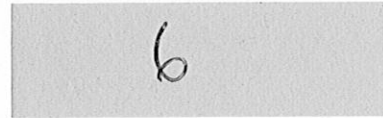
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council authorizes an agreement with State of Ohio, Office of the Auditor in the amount not-to-exceed \$647,800.00 for an annual audit for Calendar Year 2012 for the period 4/30/2013 – 12/31/2013.

**SECTION 2.** That the County Executive is authorized to execute an agreement and all documents consistent with this Resolution.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of





**Item Details:**

<b>Agency/Dept. Name:</b>	County Auditor	<b>Agency/Dept. Head Name:</b>	Fiscal Steen	Office/Wade
<b>Type of Request:</b>	Agreement/Amendment			
<b>Request Prepared by:</b>	Kathy Goepfert	<b>Telephone No.</b>	443-6905	
<b>SUMMARY OF REQUESTED ACTION:</b>				
<p>Fiscal Office 2013 Auditor of State Government Agreement/RQ13-28155                  Fiscal Office requesting approval of a government agreement with The Auditor Of State for the anticipated cost of \$647,800. The anticipated start-completion dates are April 30, 2013 - December 31, 2013 The primary goal is to complete the County's 2012 Audit and receive our opinion letter.                  ORC 117.11 states that, the auditor of state shall audit each public office annually. The project is mandated by ORC 117.11.</p> <p>Procurement method was a a Justification for Other than Full and Open Competition. ORC mandates it. The total value is not to exceed \$647,800.                  The address is Auditor of State                  Accounts Receivables                  P.O. Box 7118825                  Cincinnati, OH 45271.                  Council District does not apply.                  Auditor of State is a Government Agency. The current Auditor of State is David Yost.                  The Audit occurs annually.</p> <p>The funding source is the General Fund. Schedule of payment are by monthly invoice.</p>				
<b>PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):</b>				
To complete the 2012 Audit as required by law.				
<b>Explanation for late submittal:</b>				
Auditor of State did not get us the engagement letter until June 19, 2013				

**Contract/Agreement Information:**

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

**Financial Information:**

<p><b>Funding source:</b>    <b>Explanation:</b> General Fund</p> <p><b>Total Amount Requested:</b> \$647,800.00</p>
--

**ATTACHMENTS:**

Click to download

- [Justificationpdf](#)
- [justification word](#)
- [TAB Letter of engagement](#)
- [auditor findings](#)
- [late submission](#)
- [evaluation](#)
- [acknowledgement](#)
- [TAB cover](#)

**History**

**Time**

**Who**

Office of Procurement &  
Diversity

**Approval**





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

**Contractor: Auditor of State**

**Contract/Agreement No.: AG1200206 Time Period: February 15, 2012-September 10, 2012**

**Service Description: To assist with compiling the 2011 Comprehensive Annual Financial Report**

**Original Contract/Agreement Amount: \$600,000**

**Prior Amendment(s) Amount(s): None**

**Performance Indicators: To complete the County's 2011 Comprehensive Annual Financial Report.**

**Actual performance versus performance indicators (include statistics):**

**Rating of Overall Performance of Contractor (Check One):**

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

**Justification of Rating: The work is being done according to contract.**

Fiscal Office/Financial Services  
User Department

07/08/13  
Date

s: evaluation

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0181

<p>Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services</b></p>	<p><b>A Resolution</b> making an award on RQ28277 to The Salvation Army in the amount of \$527,499.00 for the PASS Transitional Housing Program in connection with the FY2012 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act for the period 10/1/2013 - 9/30/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive FitzGerald/Community Initiatives Division/Office of Homeless Services has recommended an award on RQ28277 to The Salvation Army in the amount of \$527,499.00 for the PASS Transitional Housing Program in connection with the FY2012 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act for the period 10/1/2013 – 9/30/2014; and

WHEREAS, this contract provides operating support for the PASS Program, a Transitional Housing Program for homeless men; and

WHEREAS, the goals of the program are: a) provide stable, short term housing; b) assist clients in finding permanent housing; and c) assist clients in attaining employment; and

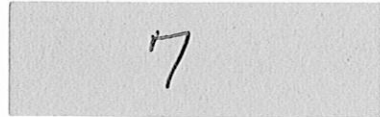
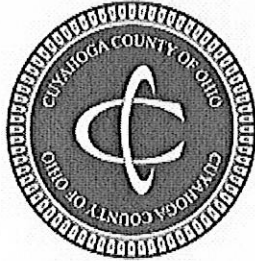
WHEREAS, this project is funded 100% by the U.S. Department of Housing and Urban Development and the provider is reimbursed on a monthly basis; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ28277 to The Salvation Army in the amount of \$527,499.00 for the PASS Transitional Housing Program in connection with the FY2012 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act for the period 10/1/2013 – 9/30/2014.





**Item Details:**

<b>Agency/Dept. Name:</b>	Administrator's Office/Office of Homeless Services	<b>Agency/Dept. Head Name:</b>	Ruth Gillett
<b>Type of Request:</b>	Contract/Amendment		
<b>Request Prepared by:</b>	Ruth Gillett	<b>Telephone No.</b>	420-6844

**SUMMARY OF REQUESTED ACTION:**

Submitting a contract with The Salvation Army in the amount of \$527,499.00 for the PASS Program, transitional housing for homeless men, for the period 10/01/13 - 9/30/2014.

**A. Scope of Work Summary**

Office of Homeless Services, submitting a contract with The Salvation Army of Greater Cleveland awarded to Cuyahoga County through the FY2012 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act: the Salvation Army PASS Transitional Housing Program in the amount not-to-exceed \$527,499.00 for the period 10/1/2013 - 9/30/2014.

**A. Scope of Work Summary**

1. Office of Homeless Services is requesting approval of a contract with the Salvation Army: PASS Transitional Housing in the amount of \$527,499; term -10/01/2012 -9/30/2013
2. This contract provides operating support for the PASS Program, a Transitional Housing Program for homeless men. The goals of the PASS program are to: a) provide stable, short term housing; b) assist clients in finding permanent housing; c) assist clients in attaining employment.
3. N/A

**B. Procurement**

1. These projects are exempt from the RFP process.
2. N/A
3. (3) A request for Exemption was submitted in NOVUS on 7/22/13 for the 8/12/13 CPB meeting. Approval will be uploaded into NOVUS prior to Council contract approval.

**C. Contract and Project Information**

1. Salvation Army

1710 Prospect Avenue  
Cleveland, OH 44115  
Council District #7

2. The Executive Director for the PASS Program is Beau Hill; (216) 619-4676.

3. The PASS Program is located at

1710 Prospect Avenue  
Cleveland, OH 44115  
Council District #7

**D. Project Status & Planning**

1. The PASS Program is renewed through the HUD McKinney-Vento Homeless Assistance Grant Application process on annual basis. In 1998, the PASS Transitional Housing Program was approved for a three year grant. Since FY 2002, it has been renewed annually. The PASS Transitional Housing Grant was first awarded three year funding in FY 2000. Since FY 2004, it has received annual renewal funding.

2. N/A

3. N/A

4. N/A

5. N/A

**E. Funding**

1. The project is funded 100% by the U.S. Department of Housing & Urban Development.

2. The provider is reimbursed on a monthly basis.

3. N/A

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

See Scope of Work Summary

**Explanation for late submittal:**

N/A

**Contract/Agreement Information:**

**Procurement Method:**

Exempt from Competitive Bid Requirements

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

N/A

**Financial Information:**

**Funding source:**

Federal

**Explanation:**

U.S. Department of Housing & Urban Development Renewal Grant Award.

**Total Amount Requested:**

\$527,499.00

**ATTACHMENTS:**

[Click to download](#)

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

Contractor: The Salvation Army

Contract/Agreement No.: CE 1200541      Time Period: 10/1/2012 -9/30/2013

Service Description: Job training, employment referral, and housing placement assistance for homeless men participating in the PASS Transitional Housing Program.

Original Contract/Agreement Amount: \$527,499.00

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

Performance Indicators: Increased skills, and/or income;  
Goal: of clients leaving the program, 80% will maintain or increase skills /income at exit. 65% of persons leaving program will exit to permanent housing.

Actual performance versus performance indicators (include statistics): 204 clients exited the program during the contract year. 89% either maintained or increased their income during their involvement with the PASS program. 75% of exiting clients moved to permanent housing.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: Agency outcomes exceeded HUD Performance Standard for "Clients leaving with Income at Exit" . HUD standard: 19%. Salvation Army outcome, 89%, verified in ServicePoint. HUD standard for moving to permanent housing is 65%. 75% of the PASS Program clients moved on to permanent housing.

Office of Homeless Services, R. Gillett

7/22/13

\_\_\_\_\_  
User Department

\_\_\_\_\_  
Date

s: evaluation

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0182

Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Cuyahoga Job and Family Services</b>	<b>A Resolution</b> making an award on RQ27041 to ResCare Workforce Services in the amount not-to-exceed \$992,237.00 for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 - 9/30/2014; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Cuyahoga Job and Family Services/Office of Homeless Services has recommended an award on RQ27041 to ResCare Workforce Services in the amount not-to-exceed \$992,237.00 for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 – 9/30/2014; and

WHEREAS, the primary goal of this program is to continue existing programming that will offer participants a high quality, competency-based, results-oriented work experience consistent with the DRA that will enhance participant’s employability and competitiveness in the job market as well as participation outcomes; and

WHEREAS, this project is funded 100% by Federal TANF funds and the schedule of payments is monthly by invoice; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ27041 to ResCare Workforce Services in the amount not-to-exceed \$992,237.00 for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 – 9/30/2014

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

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

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

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

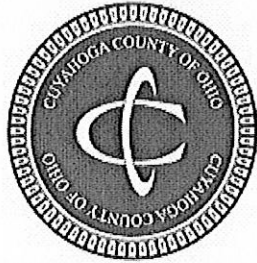
\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_





**Item Details:**

<b>Agency/Dept. Name:</b>	Employment and Family Services	<b>Agency/Dept.Head Name:</b>	Joseph Gauntner
<b>Type of Request:</b>	Award Recommendation		
<b>Request Prepared by:</b>	Robert K. Math	<b>Telephone No.</b>	216.987.6911
<b>SUMMARY OF REQUESTED ACTION:</b>			
<b>Title:</b> Cuyahoga Job and Family Services 2013 Recommended Award RQ#27041 Arbor E&T, LLC d/b/a ResCare Workforce Services Contract: Work Experience for OWF Cash Recipients			
<b>A. Scope of Work Summary</b>			
1. Cuyahoga Job and Family Services is requesting to award a contract with ResCare Workforce Services for the amount of \$992,237.00. The planned contract period is October 1, 2013 to September 30, 2014.			
2. The primary goal of the program:			
-To continue existing work experience programming that will offer participants a high quality, competency-based, results-oriented work experience consistent with the DRA that will enhance participants' employability and competitiveness in the job market as well as participation outcomes.			
<b>B. Procurement</b>			
1. The procurement method for this project was RFP.			
2. The RFP RQ#27041 was closed on May 10, 2013.			
3. There were 2 proposals submitted for review, 1 proposal is being recommended for approval.			
<b>C. Contractor and Project Information</b>			
1. The address of the vendor: ResCare Workforce Services 9901 Linn Station Road			

Louisville, KY 40223  
 Council District (NA)  
 2. The Chairman for the vendor is Ralph G. Gronefeld, Jr.  
 3.a. The location of the project is:  
 V.E. Brown Building  
 1641 Payne Ave  
 Cleveland, OH 44114  
 3.b. The project is located in Council District (07)

**D. Project Status and Planning**

1. The project reoccurs annually.
2. The project is on a critical action path to enable service delivery beginning October 1, 2013.

**E. Funding**

1. The project is funded 100% by Federal TANF funding.
2. The schedule of payments is monthly by invoice.

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

RFP (Request for Proposal)

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

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
Federal	TANF Funding

**Total Amount Requested:**  
 \$992,237.00

**ATTACHMENTS:**

Click to download

- [RFP RQ27041 Work Experience for OWF Recipients](#)
- [Award Ltrs RQ27041](#)
- [Bidders Compliance ResCare WS](#)
- [Dept Acknowledgement](#)
- [Contract RQ27041 ResCare WS](#)
- [ResCare Proposal Prt I](#)
- [ResCare Proposal RQ27041 Prt II](#)
- [Signature Authority Corp Reso ResCare](#)
- [Non-Collusion Affidavit ResCare](#)
- [Ins Liability Cert ResCare WS](#)
- [Workers Comp Cert ResCare WS](#)
- [W9 ResCare WS](#)

Date sent to Dept: 5-22-13  
 Date Received from Dept: \_\_\_\_\_  
 (OPD Use Only)



**CUYAHOGA COUNTY  
 TABULATION OF PROPOSALS RECEIVED**

DEPARTMENT NAME: Job and Family Services PROPOSAL DUE DATE: May 17, 2013

RFP TITLE: Work Experience for OWF Cash Recipients RFP #: WT-13-27041 SBE: 0%

TO BE COMPLETED BY OPD VENDOR NAME & ADDRESS	IG/ETHICS REGISTRATION COMPLETE	TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER			USER DEPT.		
		SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %		COMPLY Y/N	COMMENTS & INITIALS
Goodwill Industries of Greater Cleveland & East Central Ohio, Inc. 2295 East 55 <sup>th</sup> Street Cleveland, Ohio 44103	P-YES S-21-13			N/A			N
ResCare Workforce Services 9901 Linn Station Road Louisville, Kentucky 40223	IG-12-2730 P-YES S-21-13						Y

Robert F. Math  
 Department Director Name  
 RfpTab - Updated 11/10/2012

Robert F. Math  
 Department Director Signature of Approval  
7/11/12  
 Date

Cuyahoga Job and Family Services Proposal Evaluation Scoring RQ#27041  
 Work Experience for OWF Cash Recipients

		ResCare Workforce Services	Goodwill Industries
		Score	Score
I.	<b>Program Model &amp; Design</b>		
a.	Rate the work experience program model & the key activities Employment Coordinators will be engaged in on a daily basis.	3.2	3.2
b.	Rate the strategies staff will use to engage & retain participants referred to the Work Experience Program & re-engage participants who have stopped attending.	3.6	2.4
c.	Rate the strategies Employment Coordinators will use to identify & resolve barriers to Work Experience Program participation.	3.2	2.4
d.	Rate the plan for developing additional work experience sites & a description of how potential work sites will be identified that represent a variety of employment sectors & jobs. The plan should include strategies for engaging work sites appropriate for both work experience & community services.	3.2	2.4
e.	Rate how Employment Coordinators will provide support to both worksite supervisors & Work Experience Program participants to ensure the participant receives a meaningful work experience with a positive outcome.	3.2	3.2
		<b>Total Section Score (Maximum 20 points)</b>	<b>13.6</b>
II.	<b>Program Management</b>		
a.	Rate the program management strategies employed throughout the contract period to ensure maximum results will be achieved for CJFS & the participants including tracking & managing the use of resources, measuring program efficiency, staff productivity & resolution of program issues.	3.0	1.5
b.	Rate the staffing chart (attachment 2) along with current resumes for all positions identified as "Filled" & job descriptions for positions identified as "Vacant". Both the resumes & job descriptions must reflect the minimum qualifications described in the Staffing Model section of the RFP. The proposal must identify existing staff by name & position & outline the responsibilities for each. Resumes & job Descriptions should be attached & labeled Appendix 1.	2.3	2.3
c.	Rate the plan to ensure only qualified candidates will be hired for the program, a description of the new hire training activities, ongoing professional development offerings & the methods used to evaluate & report staff performance. A minimum of 2 staff must be bi-lingual (fluent in Spanish).	3.0	1.5
d.	Rate the program's fit into the organizational structure. A copy of the program organizational chart must be attached & labeled Appendix 2.	2.3	1.9

Cuyahoga Job and Family Services Proposal Evaluation Scoring RQ#27041  
 Work Experience for OWF Cash Recipients

	ResCare Workforce Services	Goodwill Industries
e. Rate the plan for ensuring quality, daily supervision of contracted staff including a plan for staff coverage in the event of absence or separation from the organization so as not to impact operations.	2.6	1.9
f. Rate the plan for documenting, verifying & reporting participant attendance, including identification of staff charged with this function & processes in place to ensure timely & accurate reporting.	2.6	2.6
g. Rate the data management system which will support key program functions including referral, orientation, program placement, worksite placement, & worksite oversight. Include the plan for documenting services to be provided & how the data will be used to monitor client progress.	3.4	1.9
h. Rate the Organization's Business Continuity Plan (BCP) relating to electronic files/data. Include all items listed under the Business Continuity Plan section. The Business Continuity Plan should be attached & labeled Appendix 3.	2.3	2.3
<b>Total Section Score (Maximum 30 points)</b>		<b>15.9</b>
<b>Organizational Capacity</b>		<b>Score</b>
a. Rate the organization's prior experience providing similar services to low income individuals including the program(s) goals, objectives, anticipated outcomes & lessons learned if the outcomes were not met.	5.3	5.3
b. Rate the indicators of program effectiveness & quality and outcomes achieved for similar programs. If the desired outcomes were not met, the proposal must include an explanation of the lessons learned.	5.3	0.0
c. Rate the results of evaluations by external reviews including nationally recognized accreditations & Cuyahoga County, if applicable, that demonstrate the organization's ability to successfully serve this population.	4.0	2.7
<b>Total Section Score (Maximum 20 points)</b>		<b>8.0</b>

Cuyahoga Job and Family Services Proposal Evaluation Scoring RQ#27041  
 Work Experience for OWF Cash Recipients

IV. Internal Evaluation		ResCare Workforce Services	Goodwill Industries
		Score	Score
a.	Rate the outcomes, performance measures, and benchmarks for the project and the rationale for targeting these measures.	3.0	3.0
b.	Rate the quality assurance activities to ensure high quality work experiences are provided to each client & the plan for documenting these services in accessible files. Activities should include regular supervisory reviews of case file documentation & observations of program activities.	3.5	3.5
c.	Rate the organization's process for analyzing, reporting program outcomes and program data to CJFS & a description of the data systems in place to accomplish this. A sample progress report must be attached & labeled Appendix 4.	3.5	3.0
d.	Rate the tools and methods in place to measure customer satisfaction of program clients as well as work site supervisors. Satisfaction Surveys must be included as well as plans for utilizing satisfaction data to improve the program. Survey tools should be attached & labeled Appendix 5.	2.5	3.5
		<b>Total Section Score (Maximum 20 points)</b>	<b>13.0</b>
V. Collaborations (Not Scored)		Y/N	Y/N
	Identify the lead organization if the program is offered through a collaboration of organizations. State the reason and nature of the collaboration & include letters of agreements between the partners detailing the commitments of each, labeled Appendix 6.	Y	N
VI. Customer References (Not Scored)		Y/N	Y/N
	Names and telephone numbers of three (3) references for whom the organization has completed similar projects. Attached as Appendix 8.	Y	Y
VII. Program Budget		Score	Score
a.	Rate the program budget and description of the budgeting approach to support program management and implementation. The budget narrative should be complete and detailed. The budget & narrative should be attached & labeled as Appendix 9.	6.0	6.0
b.	(BONUS 2 Points) Rate the organization's ability to leverage other funding and sources of financial or in-kind support.	0.0	1.0
		<b>Total Section Score (Maximum 12 points)</b>	<b>7.0</b>
		<b>Total Evaluation Score (Maximum 102 points)</b>	<b>57.5</b>

Letter sent to Dept: 5-22-13  
 Date Received from Dept: \_\_\_\_\_  
 (OPD Use Only)



**CUYAHOGA COUNTY  
 TABULATION OF PROPOSALS RECEIVED**

DEPARTMENT NAME: Job and Family Services PROPOSAL DUE DATE: May 17, 2013

RFP TITLE: Work Experience for OWF Cash Recipients RFP #: WT-13-27041 SBE: 0%

TO BE COMPLETED BY OPD	TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER				USER DEPT.		
	IG/ETHICS REGISTRATION COMPLETE	SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %		COMPLY Y/N	COMMENTS & INITIALS
Vendor Name & Address Goodwill Industries of Greater Cleveland & East Central Ohio, Inc. 2295 East 55 <sup>th</sup> Street Cleveland, Ohio 44103	P-YES S-21-13	N/A					N
ResCare Workforce Services 9901 Linn Station Road Louisville, Kentucky 40223	IG-12-2730 P-YES S-21-13						Y

Robert F. Math  
 Department Director Name  
 RfpTab - Updated 11/10/2012

PK Math  
 Department Director Signature of Approval  
7/11/12  
 Date

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0183

Sponsored by: <b>County Executive FitzGerald/ Department of Health and Human Services/Division of Children and Family Services</b>	<b>A Resolution</b> authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013 to change the scope of services and the terms, effective 7/1/2013; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, the County Executive/Department of Health and Human Services/Division of Children and Family Services has recommended amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013 to change the scope of services and the terms, effective 7/1/2013, as follows:

- 1) No. CE1100607-01 with Christian Children's Home of Ohio, Inc. and for additional funds in the amount of \$44,084.00.
- 2) No. CE1100773-01 with Keystone Richland Center, LLC dba Foundations for Living; no additional funds required.

WHEREAS, the amendments are for placement services of children who have been abused and/or neglected. These contracts will help to expand the range of services available to children; and

WHEREAS, these Board and Care contracts are mandated by the Ohio Administrative Code Section 5101:2-42-05; and

WHEREAS, the funding for this project is 29% from Federal Funds and 71% from the HHS Levy. The schedule of payments will be by invoice; 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 County departments, offices, and agencies.

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



**SECTION 1.** The County Council hereby approves the amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013 to change the scope of services and the terms, effective 7/1/2013, as follows:

- 1) No. CE1100607-01 with Christian Children’s Home of Ohio, Inc. and for additional funds in the amount of \$44,084.00.
- 2) No. CE1100773-01 with Keystone Richland Center, LLC dba Foundations for Living; no additional funds required.

**SECTION 2.** That the County Executive is authorized to execute all documents required in connection with said amendments.

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

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

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012



9a-b

**Item Details:**

<b>Agency/Dept. Name:</b>	Department of Children and Family Services	<b>Agency/Dept. Head Name:</b>	Patricia Rideout
<b>Type of Request:</b>			
<b>Request Prepared by:</b>	Kurtisene Cunningham	<b>Telephone No.</b>	216-881-4729
<b>SUMMARY OF REQUESTED ACTION:</b>			
Title: DCFS 2011-2013 Board and Care Contract Amendments for 2% per diem rate increase, and contract increase/ decreases for various providers (2 of the 30 ) (RQ20366)			
A. Scope of Work Summary			
1. The Division of Children and Family Services (DCFS) is requesting authorization to amend various board and care contracts that will reflect a 2% per diem increase; the amendments will also increase or decrease providers contracts due to utilization. <b>Although a 2% rate increase will occur; overall DCFS is reducing the line appropriation by (\$2,950,000), because some contracts originally had more funds than were needed, based on current usage; so there is a need to reduce the overall contract amounts of some of the providers. See below for breakdown. These are 2 of the 30 contract amendments.</b>			
<b>Amendment Amounts:</b>		<b>\$Amount</b>	
<b>1. Christian Children's Home of Ohio, Inc. increase \$44,084.00 2. Keystone Richland Center LLC \$0 (per diem increase only)</b>			
<b>Total increase amount- \$44,084.00</b>			
2. Community-based residential services provider agencies serve the Division of Children and Family Services as a primary resource for placement of children who have been abused and/or neglected. This contract will help to maintain the range of services available to children.			

3.Board and Care contracts are mandated by the Ohio Administrative Code (OAC) Section 5101:2-42-05

B. Procurement

- 1. The procurement method for this project was an exemption from Full and Open Competition.
- 2. NA
- 3. NA

C. Contractor and Project Information

- 1. The address of the vendor is: See attached

D. Project Status and Planning

- 1. The project reoccurs bi-annually.
- 2. NA
- 3. NA
- 4. The project term has already began.
- 5. NA

E. Funding

- 1. The project is funded Federal 29% / HHS Levy 71%. The schedule of payments will be by invoice.

Christian Children's Home of Ohio, Inc
Kevin Hewitt
Executive Director
2685 Armstrong Rd. P.O. Box 765Wooster, OH 44691

Keystone Richland, LLC DBA Foundations for Living
Thomas Brohm
CEO
1451 Lucas RoadMansfield, OH 44903

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

These contracts are for placement services which include foster care, residential care, independent living, group homes, shelter care and/or day treatment.

To protect children who cannot remain in their own homes and must be placed in substitute care until reunification or adoption can take place.

Provide the least restrictive placement consistent with the best interest and special needs of the child which prevent temporary placement with relatives, etc.

**Explanation for late submittal:**

Waiting for per diem approval and for vendors' to meet revised insurance standards.

**Contract/Agreement Information:**

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

**Financial Information:**

**Funding source:**      **Explanation:**  
Other                      Federal 29% / HHS Levy 71%.  
**Total Amount Requested:**  
\$44,084.00

**ATTACHMENTS:**

Click to download

- [OPD Approved Justification](#)
- [CCHO](#)
- [CCHO Cert Insurance](#)
- [CCHO FR](#)
- [Keystone SA](#)
- [Keystone Cert Insurance](#)
- [Keystone WC](#)
- [Keystone FR](#)
- [Keystone](#)
- [Acknow. Form](#)
- [CCH Cover TAB](#)
- [Keystone Cover TAB](#)
- [CCHO](#)
- [CCHO Eval](#)
- [Keystone](#)
- [Keystone](#)
- [Keystone PO](#)
- [CCHO PO](#)
- [History Log](#)
- [Risk Management Approval of Keystone Insurance](#)

**History**

**Time**

**Who**

Office of Procurement & Diversity

**Approval**



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

<b>Contractor:</b> Christian Children's Home of Ohio, Inc.
<b>Contract/Agreement No.:</b> CE1100607-01 <b>Time Period:</b> 10/1/11 – 12/31/13
<b>Service Description:</b> Christian Children's Home of Ohio, Inc (CCHO) was founded in 1969 to provide residential care for children with emotional and behavioral issues in small family like settings. CCHO has since expanded to include foster care, adoption, independent living, and counseling services.
<b>Original Contract/Agreement Amount:</b> \$300,240.00
<b>Prior Amendment(s) Amount(s):</b> \$604,296.00
<b>Performance Indicators:</b> 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
<b>Actual performance versus performance indicators (include statistics):</b> Christian Children's Home of Ohio, Inc has serviced approximately 35 children during this evaluation period. There was a 13% increase in compliance during the contract monitoring audit. The provider has completed this evaluation period with minimal lateral and restrictive moves along with no substantiated or indicated abuse/neglect allegations.

**Rating of Overall Performance of Contractor (Check One):**

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

<b>Justification of Rating:</b> Christian Children's Home continues to try and serve Cuyahoga County children within the county demonstrated through their foster care recruitment services. CCHO continues to provide services to the children they accept with minimal disruption.
--

**Cuyahoga County Division of Children and Family Services**  
**User Department**

**April 16, 2013**  
**Date**

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

<b>Contractor: Keystone Richland Center, LLC DBA Foundations for Living</b>
<b>Contract/Agreement No.: CE1100773-01</b> <b>Time Period: 10/1/11 – 12/31/13</b>
<b>Service Description:</b> Keystone Richland Center, LLC DBA Foundations for Living, formerly Children’s Comprehensive Services of Ohio (CCS), is a residential facility located in Mansfield, Ohio. Foundations for Living is licensed by ODJFS and certified by The Ohio Department of Mental Health and The Ohio Department of Drug and Alcohol Services to provide mental health and chemical dependency services for adolescent boys and girls, ages 12 to 21. CFS occasionally utilized this provider for the chemical dependency and mental health programs.
<b>Original Contract/Agreement Amount:</b> <b>\$51,300.00</b>
<b>Prior Amendment(s) Amount(s):</b> <b>\$75,006.00</b>
<b>Performance Indicators:</b> : 1) rating of the quality of the program which includes the assessment of a safe environment, well-being of services provided ,along with the stability and appropriate length of stay; 2) observation of the quality of administrative functions, including submission of required reporting, timely reporting of incidents, level of communication as reported by resource managers and workers of record; and 3) the number and percentage of children who experience an indicated/substantiated reports of abuse/neglect compared to the dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting time period. 4) the number and percentage of children who do not experience an indicated or substantiated abuse/neglect dispositional finding perpetrated by a foster or congregate caregiver by placement type for the reporting period.
<b>Actual performance versus performance indicators (include statistics):</b> Foundations of Living serviced approximately 2 child during this evaluation period. Foundation of Living has been licensed under ODMH and no longer by ODJFS resulting in receiving a clear license. During this period the provider received no substantiated or indicated abuse/neglect allegations.

**Rating of Overall Performance of Contractor (Check One):**

- Superior
- Above Average
- Average
- Below Average

<b>Justification of Rating:</b> Foundations for Living services our clients with mental health programming and the acceptance criteria of pregnant female teens.
--

**Cuyahoga County Division of Children and Family Services**

**April 16, 2013**

**User Department**

**Date**

s: evaluation

**CUYAHOGA COUNTY  
TABULATION OF PROPOSALS RECEIVED**

**DEPARTMENT NAME:** Children & Family Services

**PROPOSAL DUE DATE:** July 1, 2011

**RFP TITLE:** Board and Care Services

**RFP #:** CF - 11 - 20366      **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
Abraxas 2840 Liberty Avenue, Suite 300 Pittsburgh, PA 15222							
Alliance Human Services, Inc. 9800 Rockside Road, Suite 800 Valley View, Ohio 44125							
Applewood Centers, Inc. 2525 East 22 <sup>nd</sup> Street Cleveland, Ohio 44115							
Bair Foundation of Cleveland, Ohio, The 26401 Emery Road Warrensville Heights, Ohio 44128							
Beech Brook 3737 Lander Road Pepper Pike, Ohio 44124							

OPD Buyer \_\_\_\_\_

Department Signature of Approval \_\_\_\_\_ / \_\_\_\_\_  
Date \_\_\_\_\_



**CUYAHOGA COUNTY  
TABULATION OF PROPOSALS RECEIVED**

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**PROPOSAL DUE DATE:** July 1, 2011

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**RFP #:** CF - 11 - 20366      **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
Bellefaire JCB One Pollock Circle 22001 Fairmount Boulevard Shaker Heights, Ohio 44118						
Belmont Pines Hospital 615 Churchill-Hubbard Road Youngstown, Ohio 44505						
Berea Children's Home and Family Services 202 East Bagley Road Berea, Ohio 44017						
Caring for Kids 650 Graham Road, Suite 101 Cuyahoga Falls, Ohio 44221						
Carrington Youth Academy 2114 Noble Road Cleveland, Ohio 44112						

OPD Buyer \_\_\_\_\_

Department Signature of Approval \_\_\_\_\_ Date \_\_\_\_\_

**CUYAHOGA COUNTY  
TABULATION OF PROPOSALS RECEIVED**

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	VENDOR NAME & ADDRESS	SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %	COMPLY Y/N		COMMENTS & INITIALS
Catholic Charities Services Corporation Parnadale 6753 State Road Parma, Ohio 44134							
Children's Community Access Program 526 Superior Avenue, Suite 740 Cleveland, Ohio 44114							
Christian Children's Home of Ohio 2685 Armstrong Road P.O. Box 765 Wooster, Ohio 44691							
Cleveland Christian Home 3146 Scranton Road Cleveland, Ohio 44109							
Continue Life, Inc. 17917 Euclid Avenue Cleveland, Ohio 44112							

OPD Buyer \_\_\_\_\_

Department Signature of Approval \_\_\_\_\_ Date \_\_\_\_\_

ctab

**CUYAHOGA COUNTY  
TABULATION OF PROPOSALS RECEIVED**

**DEPARTMENT NAME:** Children & Family Services

**PROPOSAL DUE DATE:** July 1, 2011

**RFP TITLE:** Board and Care Services

**RFP #:** CF - 11 - 20366      **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
Diversion Adolescent Foster Care of Ohio, Inc. 14805 Detroit Avenue Lakewood, Ohio 44107							
Foundations for Living 1451 Lucas Road Mansfield, Ohio 44903							
Fox Run Center for Children & Adolescents 67670 Traco Drive St. Clairsville, Ohio 43950							
House of New Hope 8135 Mt. Vernon Road St. Louisville, Ohio 43071							
In Focus of Cleveland, Inc. 19008 Nottingham Road Cleveland, Ohio 44110							

OPD Buyer \_\_\_\_\_

Department Signature of Approval \_\_\_\_\_ Date \_\_\_\_\_

**CUYAHOGA COUNTY  
TABULATION OF PROPOSALS RECEIVED**

**DEPARTMENT NAME:** Children & Family Services

**PROPOSAL DUE DATE:** July 1, 2011

**RFP TITLE:** Board and Care Services

**RFP #:** CF - 11 - 20366      **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
Lutheran Metropolitan Ministry 1468 West 25 <sup>th</sup> Street Cleveland, Ohio 44113							
National Youth Advocate Program 1801 Watermark Drive Columbus, Ohio 43215							
New Directions, Inc. 30800 Chagrin Boulevard Cleveland, Ohio 44124							
Options for Families and Youth 5131 West 140 <sup>th</sup> Street Brook Park, Ohio 44142							
Parenthesis Family Advocates, Inc. 6500 Taylor Road SW Reynoldsburg, Ohio 43068							

OPD Buyer \_\_\_\_\_

Department Signature of Approval \_\_\_\_\_ Date \_\_\_\_\_

**CUYAHOGA COUNTY  
TABULATION OF PROPOSALS RECEIVED**

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**PROPOSAL DUE DATE:** July 1, 2011

**RFP TITLE:** Board and Care Services

**RFP #:** CF - 11 - 20366      **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	AW/ARD Y/N
Pathway Caring for Children 6370 Wise Avenue NW North Canton, Ohio 44720						
Pressley Ridge 23701 Miles Road Cleveland, Ohio 44128						
Quality Care Residential Homes, Inc. P. O. Box 605641 Cleveland, Ohio 44105						
Specialized Alternatives for Families & Youth (SAFY) 10100 Elida Road Delphos, Ohio 45833						
The Twelve of Ohio, Inc. P. O. Box 376 Massillon, Ohio 44648						

OPD Buyer

Department Signature of Approval \_\_\_\_\_ Date \_\_\_\_\_

ctab

**CUYAHOGA COUNTY  
TABULATION OF PROPOSALS RECEIVED**

**DEPARTMENT NAME:** Children & Family Services

**PROPOSAL DUE DATE:** July 1, 2011

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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	AW/ARD Y/N
ViaQuest Behavioral Health of Ohio 525 Metro Place North, Suite 300 Dublin, Ohio 43017						
Village Network, The 7535 Granger Road Valley View, Ohio 44125						

OPD Buyer

Department Signature of Approval \_\_\_\_\_ Date \_\_\_\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0168

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p> <p>Co-sponsored by: <b>Councilmember Miller</b></p>	<p><b>A Resolution</b> authorizing the appropriation of real property in connection with right-of-way plans for replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130<sup>th</sup> Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective.</p>
--	---

WHEREAS, on December 11, 2012, County Council adopted Resolution R2012-0244, which authorized the County Executive to acquire the necessary Right-of-Way to proceed with the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130<sup>th</sup> Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; and,

WHEREAS, upon receiving the necessary authorization to proceed with acquisition of Right-of-Way, a fair market value analysis was conducted; and,

WHEREAS, the County's agent, O.R. Colan Associates, endeavored to acquire the necessary parcels through voluntary negotiation and settlement efforts with the property owner, but equitable settlement agreements could not be reached on the property set forth below; and,

WHEREAS, the Department of Public Works has requested that the County appropriate certain property rights required for highway purposes for the above described improvement, identified as the following parcels of land:

Parcel No(s): 13WD & T, warranty deed and temporary easement  
Owner(s): Clear Channel Outdoor, Inc., a Delaware Corporation fka Eller Media Company  
Approved Appraisal (Fair Market Value Estimated): \$2,794.00; and,

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

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

**SECTION 1.** That certain real property as required for the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130<sup>th</sup> Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale, as described below be, and the same is, hereby declared necessary to appropriate for public use, more specifically for the purpose of making or repairing roads which shall be open to the public, without charge. Such property is described as follows:

Parcel No(s): 13WD & T, warranty deed and temporary easement  
Owner(s): Clear Channel Outdoor, Inc., a Delaware Corporation fka Eller Media Company  
Approved Appraisal (Fair Market Value Estimated): \$2,794.00.

**SECTION 2.** That the County Executive, through the Department of Public Works, be, and is, hereby directed to proceed with filing the necessary action to acquire the property as described above.

**SECTION 3.** That the County Fiscal Officer be, and is, hereby authorized to issue the monetary warrant in the amount of the Fair Market Value Estimates listed above, made payable to the Cuyahoga County Probate Court, said warrant to be deposited with the Probate Court at the time of filing the petitions to appropriate.

**SECTION 4.** That the Clerk of Council his hereby directed to transmit copies of this Resolution upon its approval by the County Executive to Bonita Teeuwen, P.E., Director of Public Works and to Wade Steen, County Fiscal Officer.

**SECTION 5.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.





# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0171

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> making an award on RQ27969 to the architectural firm of Cooper Carry, Inc.; authorizing the County Executive to negotiate, enter into, and execute an initial 90-day contract with Cooper Carry, Inc. in an amount not-to-exceed \$1,500,000.00 and to execute all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, pursuant to Chapter 501 of the Cuyahoga County Code, the Department of Public Works issued a request for qualifications (RFQ # RQ27969) seeking statements of qualifications from criteria architects for the Convention Center Hotel project; and,

WHEREAS, the County received 17 statements of qualifications in response to the RFQ; and,

WHEREAS, the County evaluated the qualifications of the proposers pursuant to Chapter 501 of the County Code and the architectural firm of Cooper Carry, Inc. received the highest ranking; and,

WHEREAS, due to the complexity of the project and the scope involved, it is not possible to determine with a reasonable amount of certainty the maximum not-to-exceed value of the contract with the criteria architect before completion of some preliminary investigation and design work by the criteria architect; and,

WHEREAS, it is necessary to authorize the criteria architect selected pursuant to the RFQ to proceed with the initial phase of work necessary to keep the project on schedule; and,

WHEREAS, Council has determined to award an initial 90-day contract to Cooper Carry, Inc. pursuant to the RFQ for an amount not exceed \$1.5 million; and,

WHEREAS, once the initial work is completed and it becomes necessary to retain the criteria architect for the project, the definitive agreement with the criteria architect shall be subject to Council's approval; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure that the Convention Center Hotel project can stay on schedule.

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

**SECTION 1.** County Council hereby makes an award RQ27969 for a criteria architect for the Convention Center Hotel to Cooper Carry, Inc. and authorizes the County Executive to negotiate and enter into an initial 90-day contract with Cooper Carry, Inc. for an amount not to exceed \$1.5 million. The initial contract shall maintain the County's rights to any intellectual property rights to the completed work.

**SECTION 2.** The final definitive agreement with Cooper Carry, Inc. for the Convention Center Hotel project shall be subject to Council's approval.

**SECTION 3.** The County Executive is hereby authorized to execute a contract and all other documents, as approved by the Director of Law as to legal form and correctness, in accordance with this Resolution.

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

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

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: July 23, 2013  
Committee(s) Assigned: Economic Development & Planning

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0173

Sponsored by: <b>County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission</b>	<b>A Resolution</b> approving the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 9.03 of the Charter of Cuyahoga County states that the Cuyahoga County Human Resource Commission shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification; and,

WHEREAS, Section 2.10 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinances No. O2011-0015 and O2011-0028) states that the employment of all classified County employees is subject to the provisions of the Ohio Revised Code, the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and,

WHEREAS, the Director of Human Resources submitted several proposed changes to the Cuyahoga County Non-Bargaining Classification Plan; and,

WHEREAS, the Human Resource Commission considered this matter and has undergone significant review, evaluation and modification of such submitted changes to the Cuyahoga County Non-Bargaining Classification Plan; and,

WHEREAS, on June 5, 2013, the Human Resource Commission met and recommended the classification changes (attached hereto as Exhibits A through D), and recommend to County Council the formal adoption and implementation of the attached changes; and,

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

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

**SECTION 1.** That the Cuyahoga County Council hereby approves the adoption of the following changes to the Cuyahoga County Non-Bargaining Classification Plan:

New Classifications: (See Attached Classification Specifications)

Exhibit A: Class Title: *Sewer Maintenance Superintendent*  
Number: 1042514  
Pay Grade: 15

Exhibit B: Class Title: *Chief Section Architect*  
Number: 1063113  
Pay Grade: 17

Revised Classifications: (See Attached Classification Specifications)

Exhibit C: Class Title: *Sewer Maintenance Supervisor*  
Number: 1043121  
Pay Grade: 11

Exhibit D: Class Title: *Senior Sewer Maintenance Supervisor*  
Number: 1043122  
Pay Grade: 12

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

**SECTION 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:



# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Sewer Maintenance Superintendent	<b>Class Number:</b>	1042514
<b>FLSA:</b>	Exempt	<b>Pay Grade:</b>	15
<b>Dept:</b>	Department of Public Works		

**Classification Function**

The purpose of this classification is to manage and supervise the operations and personnel of the Sewer Maintenance Division of the Public Works Office; may provide administrative support to the Maintenance Administrator.

**Distinguishing Characteristics**

This is a management classification with responsibility for planning, directing and controlling the Sewer Maintenance section of the Public Works Office under general direction. This class requires the solution of operational, technical, administrative and management problems related to maintenance. The employee is expected meet, consult and collaborate with the Maintenance Administrator to discuss plans, projects, and objectives, and to present solutions to identified concerns. The incumbent exercises discretion in applying policies and procedures to resolve organizational issues and to ensure that assigned activities are completed in a timely and efficient manner.

**Essential Job Functions**

**The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.**

- 30% +/- 10%
- Manages the operations of the Sewer Maintenance division; establishes goals for production and project completion; oversees the maintenance of the County’s sewer systems, plans and directs daily operations through subordinate supervisors; delegates authority for projects; coordinates work operations with administration, other departments, contractors and the public; governs labor costs and overtime hours for cost effectiveness; participates in matters of safety and security.
- 30% +/- 10%
- Supervises the assigned division; assigns and reviews work; recommends hiring, promotions, discharges, and disciplinary actions; documents misconduct; assesses staffing requirements; implements and encourages cross training and staff development; evaluates training needs and provides instruction; evaluates performance; establishes and promotes employee morale; participates on discipline committee; participates in resolving grievances; investigates all grievances within the department; confers with labor attorney on labor/trade, union issues; answers staff questions and provides information and conflict resolution as appropriate.
- 30% +/- 5%
- Develops and oversees procedures and practices; researches equipment and technology improvements and secures as available; evaluates, reviews and recommends budget disbursements for materials, parts, supplies, equipment and tools; reviews daily work distribution, reports, labor and materials costs and work done; approves payroll and all departmental purchases and establishes costs of work needed.



10% +/- 5%

- Reviews and responds to citizen requests and complaints; plans, coordinates and attends meetings with public officials, contractors, vendors, staff, department heads, and unions.

### **Minimum Training and Experience Required to Perform Essential Job Functions**

Bachelor's degree in Civil Engineering or a related field with six (6) years of related experience including three (3) years of supervisory experience; or any combination of education and experience that provides equivalent knowledge, skills and abilities.

### **Additional Requirements**

Ohio Class II Wastewater Collections License and CPR may be required.

### **Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**

#### **Physical Requirements**

- Ability to operate a variety of automated office machines including computers and peripheral equipment and a two way radio.

#### **Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees and to maintain standards.
- Ability to provide instruction to other employees and to act on employee problems.
- Ability to prepare employee performance evaluations.
- Ability to recommend the discipline or discharge of employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

#### **Mathematical Ability**

- Ability to understand and apply high school algebra, geometry, calculus and statistics.

#### **Language Ability & Interpersonal Communication**

- Ability to perform mid to high level data analysis requiring managing of data and people deciding the time, sequence of operations or events within the context of a process, system or organization. Involves determining the necessity for revising goals, objectives, policies, procedures or functions based on the analysis of data/information and includes performance reviews pertinent to such objectives, functions and requirements.
- Ability to comprehend a variety of informational documents including overtime reports, labor reports, time sheets, activity sheets, fuel reports, dispatch call logs, work orders, employee grievances, job descriptions, quotes from contractors plans, maps, certifications, and reports.

## **Sewer Maintenance Superintendent**

- Ability to comprehend a variety of reference books and manuals including departmental and County personnel policy manual, Ohio Revised Code, reference manuals, union contracts, specifications, standards, guidelines, and codes.
- Ability to prepare timesheets, billable hours reports, performance appraisals, correspondence, agreements, contracts, work order sheets, schedules, budgets, grievance response, injury accident reports, memos and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to develop and maintain effective working relationships with a variety of individuals within and outside the Department.
- Ability to use and interpret maintenance, legal, human resource terminology and language.
- Ability to communicate with staff, directors of other sections, homeowners, contractors, vendors, public officials, consultants, departmental employees, and administrators.

### **Environmental Adaptability**

- Work is typically performed in an office environment and in the field.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Chief Section Architect	<b>Class Number:</b>	1063113
<b>FLSA:</b>	Exempt	<b>Pay Grade:</b>	17
<b>Dept:</b>	Public Works		

**Classification Function**

The purpose of this classification is to plan, organize, manage, and control a section in the Public Works Office that may include directing the application of sound architectural principles in the preparation of plans, reports, and the improvement of buildings and other county facilities by coordinating the internal and external design, construction, and manufacturing efforts associated with the proposed improvement that addresses the end user's needs.

**Distinguishing Characteristics**

This is a senior management classification with responsibility for planning, directing and controlling a section of the Public Works Office, under general direction. This class requires the analysis and solution of operational, technical, administrative and management problems related to architecture and facilities design. The employee is expected meet, consult and collaborate with Chief Deputy Engineer to discuss plans, programs, and objectives, and to present solutions to identified concerns. The incumbent exercises discretion in applying policies and procedures to resolve organizational issues and to ensure that assigned activities are completed in a timely and efficient manner.

**Essential Job Functions**

**The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.**

- 40% +/- 10%
- Plans, organizes, directs, and controls assigned functions in compliance with State and local laws, regulations, and architectural requirements; in conjunction with the Department Administrators, directs projects, programs, objectives, policies, procedures, and staffing plans; designs and approves plans; develops funding strategies for projects; advises the Director of Public Works on policy and project status.
  
- 25% +/- 10%
- Supervises the assigned section; assigns and reviews work; recommends hiring, promotions, discharges, and disciplinary actions; documents misconduct; assesses staffing requirements; evaluates training needs and provides instruction; evaluates performance; establishes and promotes employee morale; answers staff questions and provides information and conflict resolution as appropriate
  
- 25% +/- 5%
- Evaluates project progress and prioritizes work assignments; evaluates consultants for new projects; observes and inspects field projects under construction; develops solutions to project problems; observes field conditions of proposed projects.
  
- 10% +/- 5%
- Reviews all incoming and outgoing correspondence; drafts letters to respond to correspondence; responds to inquiries from other public agencies; serves on various committees; attends and conducts meetings.

## **Chief Section Architect**

### **Minimum Training and Experience Required to Perform Essential Job Functions**

A Bachelor's Degree in architectural or a related field desirable with eight (8) years previous experience, including one year of supervisory experience.

### **Additional Requirements**

License as a professional architect with the State of Ohio.

### **Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**

#### **Physical Requirements**

- Ability to operate a variety of automated office machines including computers and peripheral equipment.

#### **Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees and to maintain standards.
- Ability to provide instruction to other employees and to act on employee problems.
- Ability to prepare employee performance evaluations.
- Ability to recommend the discipline or discharge of employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

#### **Mathematical Ability**

- Ability to understand and apply college level algebra, geometry, calculus and statistics.

#### **Language Ability & Interpersonal Communication**

- Ability to perform mid to high level data analysis requiring managing of data and people deciding the time, sequence of operations or events within the context of a process, system or organization. Involves determining the necessity for revising goals, objectives, policies, procedures or functions based on the analysis of data/information and includes performance reviews pertinent to such objectives, functions and requirements.
- Ability to comprehend a variety of informational documents including project plans, project work schedules, timesheets, leave requests, various functional reports, legislative agreements, data and invoices.
- Ability to comprehend a variety of reference books and manuals including architectural design manuals, departmental and County personnel policy manual, reference manuals, Ohio Revised Code, contracts, and codes.
- Ability to prepare memos, performance appraisals, correspondence, agreements, contracts, plans, estimates, requests for proposal, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.

## **Chief Section Architect**

- Ability to supervise and counsel employees, convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to develop and maintain effective working relationships with a variety of individuals within and outside the Department.
- Ability to use and interpret architectural, legal, construction and accounting terminology and language.
- Ability to communicate with staff, chiefs of other sections, consultants, vendors, departmental employees, and administrators.

## **Environmental Adaptability**

- Work is typically performed in an office environment and in the field.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Sewer Maintenance Supervisor	<b>Class Number:</b>	1043121
<b>FLSA:</b>	Exempt	<b>Pay Grade:</b>	11
<b>Dept:</b>	Department of Public Works		

## Classification Function

The purpose of this is to supervise crew of employees assigned to sewer maintenance activities, inspect work in progress and review completed work assignments.

## Distinguishing Characteristics

This is first-line supervisor classification with responsibility for overseeing projects under a framework of defined policies, procedures, regulations and guidelines. The incumbents exercise discretion in applying procedures and regulations to resolve project issues. The employees in this classification assist in ensuring that projects are completed on time and with adherence to requirements. The employees in this class work under directions from the Senior Sewer Maintenance Supervisor.

## Essential Job Functions

**The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.**

- 40% +/- 10%
- Supervises crew of employees assigned to sewer maintenance activities; establishes daily itinerary and assigns work; inspects work in progress and videos; reviews completed work assignments; instructs and trains employees; investigates and resolves employee problems; recommends employee discipline; prepares and reviews performance evaluations; ensures training requirements are met.
- 35% +/- 10%
- Checks progress of field crews; reviews and evaluates various reports; prepares various activity and project reports; assigns vehicles; responds to concerns of residents; ensures appropriate equipment is available.
- 15% +/- 5%
- Assists with planning and coordinating of sewer maintenance function; recommends maintenance programs and initiatives for sanitary and storm system maintenance; assists establishing goals and plans to achieve goals; assists with capital planning.
- 10% +/- 5%
- Performs administrative functions; orders supplies and equipment; conducts meetings; attends presentations.

## Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or GED supplemented with vocational or technical training in plumbing, maintenance and/or sanitation with three (3) years of sewer maintenance experience; or any equivalent combination of training and experience.

**Additional Requirements**

An Ohio EPA Wastewater Collections Class I Certification may be required.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions****Physical Requirements**

- Ability to operate a variety of equipment and tools including personal computer and peripheral e, fax machine, video cassette recorder, and telephone.
- Ability to perform on-site inspections, drive a truck, use hand tools, metal detector, flow meters and digital cameras.

**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages, and apply basic algebraic equations.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including reports such as time sheets, attendance records, maintenance work orders, smoke test reports, dye test reports, invoices, daily logs, maps, blue prints, correspondence, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including maps, blue prints, safety manuals, equipment operation manuals, materials texts and personnel policy manuals.
- Ability to prepare reports such as daily activity reports, daily maintenance reports, flow meter reports, die and smoke meter test reports, map reports, payroll documents, service requests, disciplinary forms, vehicle reports, performance evaluations, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to communicate with manager, employees, mechanics, engineers, residents, County and City employees.

**Environmental Adaptability**

- Work is typically performed in an office environment, at a wastewater treatment facility or in the field.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*



# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Senior Sewer Maintenance Supervisor	<b>Class Number:</b>	1043122
<b>FLSA:</b>	Exempt	<b>Pay Grade:</b>	12
<b>Departments:</b>	Department of Public Works		

## Classification Function

The purpose of this is to supervise the Sewer Maintenance Supervisor and sewer maintenance activities.

## Distinguishing Characteristics

This is second-line supervisor classification, working under direction of a superintendant within the Sewer Maintenance Section of the Public Works Department. The employee works within a broad framework of polices, procedures and regulations. The incumbent ensures that activities are performed in a timely manner and according policies, procedures and related regulations. This class is distinguished from the Sewer Maintenance Supervisor in that the later is a first line supervisor.

## Essential Job Functions

**The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.**

- 40% +/- 10%
- Supervises Sewer Maintenance Supervisors; instructs and trains employees; investigates and resolves employee problems; recommends employee discipline; prepares and reviews performance evaluations; ensures training requirements are met. .
  
- 30% +/- 10%
- Supervises sewer maintenance activities; oversees daily itinerary; oversees work assignments; inspects work in progress and reviews completed work assignments in field; schedules utility locations for excavations; oversees maintenance of department vehicles; responds to concerns of residents; may be on-call during weekends, evenings and holidays.
  
- 20% +/- 10%
- Assists Sewer Maintenance Superintendent with planning and coordinating of sewer maintenance functions; recommends maintenance programs and initiatives for sanitary and storm system maintenance; establishes goals and plans to achieve goals; assists with capital planning.
  
- 10% +/- 10%
- Performs administrative functions; attends various meetings; conducts meetings; answers questions and responds to requests for information.

## Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or GED supplemented with vocational or technical training in plumbing, maintenance and/or sanitation with five (5) years of sewer maintenance experience; or any equivalent combination of training and experience.

## Additional Requirements

An Ophio EPA Wastwarter Collections Class I Certifictin may be required.

## **Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**

### **Physical Requirements**

- Ability to operate a variety of equipment and tools including personal computer, pager, fax machine, and telephone.
- Ability to perform on-site inspections and drive a truck.
- Ability to operate pumps, saws, air compressors, metal detectors, snake machines, flow meter hand tools and other tools and equipment.

### **Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.

### **Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages, and apply basic algebraic equations.

### **Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including reports such as time sheets, attendance records, maintenance work orders, smoke test reports, dye test reports, invoices, maps, blue prints, correspondence, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including maps, blue prints, safety manuals, equipment operation manuals, materials texts and personnel policy manuals.
- Ability to prepare reports such as payroll documents, service requests, flow meter reports, die and smoke meter test reports, map reports, disciplinary forms, vehicle maintenance reports, performance evaluations, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret engineering, mechanical and human resources terminology and language.
- Ability to communicate with Assistant Director, Sewer Maintenance Administrator Manager, employees, residents, mechanics, engineers, and the general public.

### **Environmental Adaptability**

- Work is typically performed in an office environment, at a wastewater treatment facility or in the field.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0174

Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services</b>	<b>A Resolution</b> authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Children and Family Services has recommended amendments to contracts with various providers for placement services for the period 10/1/2011–12/31/2013 as follows:

**1) to change the scope of services and the terms, effective 7/1/2013, and for a decrease in funds:**

- a) No. CE1100616-01 with Alliance Human Services, Inc. in the amount of (\$738,830.00).
- b) No. CE1100617-01 with Applewood Centers Inc. in the amount of (\$631,738.00).
- c) No. CE1100620-01 with Bellefaire Jewish Children's Bureau in the amount of (\$268,079.00).
- d) No. CE1100623-01 with Catholic Charities Corporation (Parmadale) in the amount of (\$611,817.00).
- e) No. CE1100621-01 with Guidestone in the amount of (\$616,600.00).
- f) No. CE1100613-01 with New Directions, Inc. in the amount of (\$300,000.00).
- g) No. CE1100625-01 with Options for Families and Youth in the amount of (\$400,000.00).
- h) No. CE1100615-01 with Pathway Caring for Children in the amount of (\$106,095.00).
- i) No. CE1100626-01 with Pressley Ridge in the amount of (\$200,000.00).

- j) No. CE1100628-01 with START - Support to At-Risk Teens in the amount of (\$157,842.00).
  - k) No. CE1100629-01 with The Bair Foundation in the amount of (\$153,673.00).
  - l) No. CE1100631-01 with The Twelve of Ohio, Inc. in the amount of (\$426,754.00); and
- 2) to change the scope of services and the terms, effective 7/1/2013, and for additional funds:**
- m) No. CE1100618-01 with Beech Brook in the amount of \$799,406.00.
  - n) No. CE1100619-01 with BHC Belmont Pines Hospital, Inc. in the amount of \$289,741.00.
  - o) No. CE1100622-01 with Caring for Kids, Inc. in the amount of \$60,055.00.
  - p) No. CE1100771-01 with Carrington Youth Academy LLC in the amount of \$134,512.00.
  - q) No. CE1100610-01 with Diversion-Adolescent Foster Care of Ohio, Inc. in the amount of \$25,641.00.
  - r) No. CE1100672-01 with House of New Hope in the amount of \$52,263.00.
  - s) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount of \$2,396.00.
  - t) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount of \$79,717.00.
  - u) No. CE1100627-01 with Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$373,299.00.
  - v) No. CE1100630-01 with The Cleveland Christian Home Incorporated in the amount of \$197,303.00.
  - w) No. CE1100633-01 with The Village Network in the amount of \$239,083.00; and
- 3) to change the terms, effective 7/1/2013; no additional funds required:**
- x) No. CE1100609-01 with Cornell Abraxas Group, Inc.; and

WHEREAS, the amendments are for placement services of children who have been abused and/or neglected. These contracts will help to expand the range of services available to children; and

WHEREAS, these Board and Care contracts are mandated by the Ohio Administrative Code Section 5101:2-42-05; and

WHEREAS, the funding for this project is 29% from Federal Funds and 71% from the HHS Levy. The schedule of payments will be by invoice; 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 County departments, offices, and agencies.

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

**SECTION 1.** The County Council hereby approves the amendments to contracts with various providers for placement services for the period 10/1/2011–12/31/2013 for:

**1) to change the scope of services and the terms, effective 7/1/2013, and for a decrease in funds:**

- a) No. CE1100616-01 with Alliance Human Services, Inc. in the amount of (\$738,830.00).
- b) No. CE1100617-01 with Applewood Centers Inc. in the amount of (\$631,738.00).
- c) No. CE1100620-01 with Bellefaire Jewish Children's Bureau in the amount of (\$268,079.00).
- d) No. CE1100623-01 with Catholic Charities Corporation (Parmadale) in the amount of (\$611,817.00).
- e) No. CE1100621-01 with Guidestone in the amount of (\$616,600.00).
- f) No. CE1100613-01 with New Directions, Inc. in the amount of (\$300,000.00).
- g) No. CE1100625-01 with Options for Families and Youth in the amount of (\$400,000.00).
- h) No. CE1100615-01 with Pathway Caring for Children in the amount of (\$106,095.00).
- i) No. CE1100626-01 with Pressley Ridge in the amount of (\$200,000.00).
- j) No. CE1100628-01 with START - Support to At-Risk Teens in the amount of (\$157,842.00).

- k) No. CE1100629-01 with The Bair Foundation in the amount of (\$153,673.00).
  - l) No. CE1100631-01 with The Twelve of Ohio, Inc. in the amount of (\$426,754.00); and
- 2) to change the scope of services and the terms, effective 7/1/2013, and for additional funds:**
- m) No. CE1100618-01 with Beech Brook in the amount of \$799,406.00.
  - n) No. CE1100619-01 with BHC Belmont Pines Hospital, Inc. in the amount of \$289,741.00.
  - o) No. CE1100622-01 with Caring for Kids, Inc. in the amount of \$60,055.00.
  - p) No. CE1100771-01 with Carrington Youth Academy LLC in the amount of \$134,512.00.
  - q) No. CE1100610-01 with Diversion-Adolescent Foster Care of Ohio, Inc. in the amount of \$25,641.00.
  - r) No. CE1100672-01 with House of New Hope in the amount of \$52,263.00.
  - s) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount of \$2,396.00.
  - t) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount of \$79,717.00.
  - u) No. CE1100627-01 with Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$373,299.00.
  - v) No. CE1100630-01 with The Cleveland Christian Home Incorporated in the amount of \$197,303.00.
  - w) No. CE1100633-01 with The Village Network in the amount of \$239,083.00; and
- 3) to change the terms, effective 7/1/2013; no additional funds required:**
- x) No. CE1100609-01 with Cornell Abraxas Group, Inc.; and

**SECTION 2.** That the County Executive is authorized to execute all documents required in connection with said amendments.

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this





# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0101

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> declaring that public convenience and welfare requires widening and reconstruction of East 105<sup>th</sup> Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland; total estimated construction cost \$44,475,196.00; finding that special assessments will neither be levied nor collected to pay for any part of the County’s costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.</p>
<p>Co-sponsored by: <b>Councilmember Conwell</b></p>	

WHEREAS, the County Executive FitzGerald/Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the widening and reconstruction of East 105<sup>th</sup> Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland; and

WHEREAS, the anticipated construction cost for this improvement is \$44,475,196.00; and

WHEREAS, that special assessments are not to be levied nor collected to pay for any part of the County’s costs of this improvement; and

WHEREAS, this project will be funded as follows: (a) 80% from Federal Funds; (b) 10% will be paid from Issue 1 Funds, and (c) 10% from the County Road and Bridge Fund; and

WHEREAS, the primary goal of this project is to properly maintain the County’s infrastructure for which the County is responsible; and

WHEREAS, this project is located at East 105<sup>th</sup> Street and intersecting streets from Quincy Avenue to Chester Avenue in the City of Cleveland, Council Districts 7 and 8; and

WHEREAS, the anticipated start date for construction of this project is 2015; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby declares that public convenience and welfare requires the widening and reconstruction of East 105<sup>th</sup> Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland.

**SECTION 2.** That special assessments are not to be levied nor collected to pay for any part of the County’s cost of this improvement.

**SECTION 3.** That the County Executive is hereby authorized to enter into and execute an agreement of cooperation and any other documents with the City of Cleveland in connection with this project.

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

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

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

Yeas:

Nays:

\_\_\_\_\_  
County Council President

\_\_\_\_\_  
Date

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: May 28, 2013

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

Additional Sponsorship Requested: June 5, 2013

Committee Report/Second Reading: July 23, 2013

Journal CC011  
August 13, 2013

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2013-0020

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer</b>	<b>An Ordinance</b> enacting Chapter 712 of the Cuyahoga County Code to establish the Cuyahoga County Lodging Excise Tax Code of Regulations, effective 10/1/2013; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Council deems it necessary to adopt the regulations governing the County's Excise Tax on Lodging of Transient Guests; 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 operations of the County.

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

**SECTION 1.** That Chapter 712 of the Cuyahoga County Code is hereby enacted as follows:

### **CHAPTER 712: Cuyahoga County Lodging Excise Tax Code of Regulations**

#### **Section 712.01: Title**

The Code of Regulations established pursuant to Resolution No. 3327 dated September 12, 2000 is hereby amended by this Chapter. This Chapter shall be known and may be cited and referred to as the "Cuyahoga County Lodging Excise Tax Code of Regulations".

#### **Section 712.02: Incorporations**

Resolution No. 930524 dated February 2, 1993, Resolution No. 975206 dated December 23, 1997, Resolution No. 041710 dated May 4, 2004, Resolution No. 105085 dated November 18, 2010, and Resolution No. 105086 dated November 18, 2010 are incorporated as if fully rewritten herein.

#### **Section 712.03: Definitions**

As used in the following Sections of the Cuyahoga County Lodging Excise Tax Code of Regulations:

- A. “Fiscal Officer” means the Cuyahoga County Fiscal Officer and any of his/her assistants designated to assist in administering and enforcing the collection of the excise tax on lodging of transient guests herein levied and imposed, who are hereby assigned all of the duties and authority of Cuyahoga County to administer and enforce the collection of such tax.
- B. “Consumer” means the person who the sale is provided to pursuant to as defined in ORC 5739.01(D)(1).
- C. “Hotel” means every establishment kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered to guests, whether such rooms are in one or several structures. For purposes of this tax, Cuyahoga County resolved, effective July 1, 2004 (Resolution No. 41710), that the definition of “hotel” shall include establishments with fewer than five (5) rooms for the accommodation of guests. For purposes of this Code, “hotel” does not include any college or university owned housing that is primarily used to house students affiliated with the school during the school year.
- D. “Lodging” means one (1) or two (2) or more connecting rooms in which sleeping accommodations are provided for a transient guest(s).
- E. “Person” includes individuals, receivers, assignees, trustees in bankruptcy, estates, firms, partnerships, associations, joint-stock companies, joint ventures, clubs, societies, corporations, the state and its political subdivisions, and combinations of individuals of any form.
- F. “Premises” includes any real property or portion thereof upon which any person engages in selling tangible personal property at retail or making retail sales and also includes any real property or portion thereof designated for, or devoted to, used in conjunction with the business engaged by such person.
- G. “Rack Rate” means the rate for a hotel room before any discount is taken into account. The rack rate is posted on the wall or door of the hotel room itself as the maximum actual rate the hotel may charge for a room as required by ORC 3731.16.
- H. “Sale” and “selling” include all of the following transactions for consideration in any manner, whether absolutely or conditionally, whether for a price or rental, in money or by exchange, and by any means whatsoever, including, but not limited to all transactions by which lodging by a hotel is or is to be furnished to transient guests.

- I. “Rent” means the aggregate value in money or anything paid or delivered, or promised to be paid or delivered for hotel lodging, without any deduction for the cost of labor, service, property used, interest discount paid after the price is paid or agreed to be paid, or any other expense.
- J. “Tax” means, except where otherwise specified, the tax levied and imposed herein.
- K. “Transaction” means the amount paid, or to be paid, by or on behalf of, a transient guest to a hotel; or where no such consideration is paid by or on behalf of, such transient guest, the maximum actual rate for such lodging posted pursuant to ORC 3731.16.
- L. “Transient guest(s)” means person(s) occupying a room or rooms for sleeping accommodations for less than thirty (30) consecutive days.
- M. “Vendor” means a person who owns or operates a hotel that furnishes lodging to guests and includes the agents and employees of such person who performs the functions on behalf of the vendor. “Vendor” also includes the owner, lessee, mortgagor in possession of the real estate upon whose premises the vendor operates or has operated a hotel, when the vendor is or becomes a non-resident of Ohio or conceals his/her whereabouts or property. The vendor shall have an Ohio Retail Sales Tax Vendor License in order to operate a business pursuant to ORC 5739.17.
- M. “Provisions of Accommodations” means an act or process of providing a service or amenity to a guest, which is directly related to the lodging space.

**Section 712.04: Levy of Tax; When Collectable; Exemptions; Presumption; Taxable Transactions**

- A. An excise tax is hereby levied and imposed upon each transaction in Cuyahoga County by which lodging is or is to be furnished by a vendor to a transient guest or guests at a hotel, at the rate of five and one-half percent (5 ½%) of the sale for each such sale and/or transaction.
- B. The tax applies and is collectable when the lodging is furnished, regardless of the time when the rent is paid or delivered or whether the sale is done at no charge.

- C. For the purpose of the proper administration, and to prevent evasion of the tax, it is presumed that all rents and sales for hotel rooms in the County are subject to the tax until the contrary is established.
- D. This tax is not a part of the rent and shall be separately stated as such on every rent invoice, bill, statement or other written charge therefore.
- E. The tax does not apply to transactions for lodging furnished to representatives of the United States government which are paid directly by the Federal government; the government of any state, excluding Ohio, or any of their political subdivisions. Such transactions will be considered for an exemption by filing a Cuyahoga County Certificate of Exemption together with the bill, statement, or invoice and copies of payment received. For every transaction which the vendor claims is exempt pursuant to this section, the vendor must be able to produce sufficient documentation of the exempt status, and for Federal Government exemptions, the portion of the government credit card number, as identified by the Federal Government and Ohio Department of Taxation as authorizing the exemption, used for each individual transaction. The vendor is required to retain such records in the same manner as other lodging tax records. A Cuyahoga County Hotel/Motel Tax Exemption Report must be submitted with each Monthly Return in order for the exemption to be considered.
- F. The tax does not apply to transactions for lodging furnished to representatives of the Office of Foreign Missions, U.S. Department of State. Such transactions will be considered for an exemption by filing a Cuyahoga County Certificate of Exemption together with the bill, statement, or invoice and copies of any checks or credit cards received in payment by a mission. For every transaction which the vendor claims is exempt pursuant to this section, the vendor must be able to produce sufficient documentation of the exempt status, and for Foreign Mission exemptions, the front and back of the Mission tax exemption card, as identified by the Office of Foreign Missions, U.S. Department of State as authorizing the exemption, used for each individual transaction. The vendor is required to retain such records in the same manner as other lodging tax records. A Cuyahoga County Hotel/Motel Tax Exemption Report must be submitted with each Monthly Return in order for the exemption to be considered.
- G. The tax does not apply to optional services which may include: room service; porter or bellboy service, valet services, pay-for-view movies; wake-up calls and charges for telephone services, or other miscellaneous charges not related to the provision of accommodation and which are stated separately from the charge for lodging.

- H. The tax does apply to Vendor charges for: additional bed(s), bedding, housekeeping, use of refrigerator/microwave, pet accommodations, safes or other similar services which are charged in addition to the room charge and are amenities to the room which relate to the provision of accommodations.
- I. The tax does apply to the room portion of any “package rate.” Any vendor offering a package rate must separately identify on the guest receipt and/or other records of the vendor, at the time of furnishing of lodging, the room portion of the package rate, the transient occupancy tax applicable to the room portion of the package rate and the non-room portion of the package rate. The vendor shall bear the burden of proving that the allocation of taxes between the room portion and the non-room portion of the package rate was properly made and that the correct amount of taxes were collected and remitted to the appropriate agencies.
- J. The tax does apply to a receivable room charge, including non-refundable deposits or guaranteed no show revenue/fees paid by or on behalf of any person, whether or not the person actually exercises the right to occupancy by using or possessing any room or rooms, or portion thereof, whether it be termed “cancellation fee” or “attrition” or other term with similar meaning.

**Section 712.05: Liabilities of Vendor and Consumer**

- A. To the extent the vendor fails to collect the tax or elects not to collect the tax from the consumer upon each taxable transaction and/or sale, or having collected the tax, fails to return and remit the same when due, the tax is hereby imposed and levied upon the vendor.
- B. Within thirty (30) days after commencing business or changing business name, management company or ownership, each operator of any hotel or motel renting lodging to transient guests shall complete a registration form (the form is available at the Fiscal Office) for said hotel or motel with the Fiscal Officer by means of purchasing an Ohio Retail Sales Tax Vendor License and obtaining from the Fiscal Officer a Transient Occupancy Registration Certificate to be at all times posted in a conspicuous place on the premises.

**Section 712.06: Returns; Due Date; Remission of Penalties; Procedure Thereon; Failure to File; Form**

- A. Each vendor shall, on or before the 21<sup>st</sup> day of each month, complete and file a full return with the Fiscal Officer for the preceding calendar month on the form prescribed, showing all the information required



thereon, including the amount of tax due the County from the Vendor and report all exempt transactions on the Hotel/Motel Tax Exemption Report. Failure to file these items will result in penalties.

- B. The monthly returns shall be submitted to the Fiscal Officer with payment of the amount of tax due thereon. Any and all taxes collected and not refunded to the consumer shall be remitted to the Fiscal Officer.
- C. Upon receiving the monthly returns with the proper payment, the Fiscal Officer shall promptly stamp or otherwise mark on all copies the date received and the amount of payment received.
- D. Upon application of the vendor, in writing and for good cause shown, the Fiscal Officer may extend the time for making and filing returns. Also, the Fiscal Officer may reduce or abate any and all interest and penalties that may be due hereunder.
- E. Any vendor who fails to file a complete return and exemption report, with payment, postmarked on or before the 21<sup>st</sup> day of each month, shall forfeit and pay into the County Treasurer interest at the rate at which interest accrues per annum as prescribed pursuant to ORC 5703.47 and a penalty of ten percent (10%) of the amount of the tax due.
- F. The form of the return shall be prescribed by the Fiscal Officer. Submission of any form other than what is prescribed by the Fiscal Officer may result in the automatic rejection of exempted status for the transaction. The exemption certificate is to be completed in its entirety. If a fully completed and executed certificate is not obtained by the property and made available for audit, the excise tax shall apply and the property will be held responsible for the payment of same.

#### **Section 712.07: Amended Returns**

Amended Returns: Whenever the amount of any tax, interest and penalty has been overpaid or paid more than once or has been erroneously or illegally collected or received by the County under this Code, it may be refunded if the vendor makes a legitimate claim in writing, stating under penalty of perjury the specific grounds upon which the claim is founded. The claim shall be on forms furnished by the Fiscal Officer and a refund of any claim shall be at the sole discretion of the Fiscal Officer. No refund shall be paid under the provisions of this section unless the claimant establishes his right thereto by written records showing entitlement thereof within four (4) years of the date of the claimed erroneous payment. This section is not a substitute for a petition for reassessment or any appeal following assessment.

**Section 712.08: Assessments; Liabilities of Vendor and Consumer**

- A. If any vendor collects the tax and fails to remit the same to the County as provided herein, said vendor shall be personally liable for any amount collected, which was not remitted. If any vendor fails to collect the tax on any transaction subject thereto, such vendor shall be personally liable for the same. The Fiscal Officer may make an assessment against the vendor as the facts may require in the Fiscal Officer's sole discretion.
- B. No assessment against a vendor shall discharge the consumer's liability to the vendor for any unpaid tax, if the consumer owes the tax.
- C. No assessment issued against either the vendor or the consumer shall be considered an election of remedies or a bar to an assessment against the other for the tax, penalty, and interest applicable to the same transaction, provided, however, no assessment shall be issued against any person for the tax due on a particular transaction if the entire tax has been paid by another.

**Section 712.09: Maintenance and Inspection of Records; Assessments; Delinquencies**

- A. The burden of proof rests upon each vendor to show what part, if any, of the gross room revenue receipts are not taxable from the hotel room sales and/or transactions; and for such purpose each vendor shall maintain and keep complete and accurate records of said room revenue together with a record of the tax collected thereon, which shall include:
  - 1. Primary records such as all guest or rent registers, sales, rent invoices, statements or bills, rent payments and/or refunds thereon; room rate sheets or cards of daily prices for each room, as required by ORC 3731.16; receipts of taxes collected; copies of appropriate schedules of Federal Income Tax Returns, Ohio Sales Tax Returns, and tax returns to local municipalities having a lodging excise tax identical or substantially similar to the tax imposed hereby; exemption certificates, tax payment receipts; cash register tapes and all other pertinent documents; and
  - 2. Secondary records such as bank deposit receipts and daily books, journals, or any other records in which the vendor accumulates data, which must be supported by complete detail in which such data was accumulated.

- B. Guest or rent invoices, statements or bills, and cash register tapes for taxable sale must state separately the total taxable sale and the tax charged and/or collected. The records must also show clearly the length of stay, in terms of consecutive days for each guest.
- C. All records relating to the collection and payment of the tax must be preserved by the vendor for five (5) years unless the Fiscal Officer requests that they be kept for a longer period.
- D. All such records and documents shall be open to the County Fiscal Officer for inspection during regular business hours. The Fiscal Officer shall from time to time, review, investigate, examine and audit any and all such records to determine if the proper tax has been returned and remitted. The Fiscal Officer also has the authority to remove such records as long as proper inventory of the documentation to be removed is provided to the vendor.
  - 1. The Fiscal Officer may interview the vendor or his/her employees and agents, and may take written statements under oath.
  - 2. If the Fiscal Officer's investigation of such records reveals that any tax or additional tax should properly have been returned and remitted by the Vendor, the Fiscal Officer shall make an assessment of such tax or additional tax.
- E. If any vendor fails to maintain complete primary sales records, accurately reflecting the total sales subject to the tax and of the tax due thereon, or which may be utilized in verifying the accuracy of the figures reflected in the vendor's secondary record and/or reported on the vendor's tax returns filed hereunder, the Fiscal Officer may use one of the following methods for such verification:
  - 1. Determine the total value of all rents, less rental refunds, when the full tax has also been refunded either in cash or by credit.
  - 2. Determine taxable and non-taxable sales, or the ratio of taxable sales to total sales, or both.
- F. The Fiscal Officer shall determine the proper amount of tax and/or make an assessment by any of the means set forth herein if any vendor:
  - 1. Fails to maintain complete records, as required hereby; or
  - 2. Fails or refuses to permit the Fiscal Officer to inspect any records;  
or

3. Refuses to permit the Fiscal Officer to sample or test check his business activity; or
  4. Having filed a return or returns, misrepresents or fails to disclose, any material fact or figure thereon; or
  5. Fails to collect the tax, or having collected the tax, fails to remit the same when due; or
  6. Fails to remit the correct amount of tax or interest thereon when due; or
  7. Fails to file a full and complete return when due
- G. No delinquent tax shall be assessed against a vendor more than four years after the return date for the period in which the taxable transaction occurred or after the return for such period was filed, whichever is later.

**Section 712.10: Procedure Following Assessment**

- A. Each assessment shall be in writing stating clearly the reasons and basis therefor.
- B. In each case of an assessment, the Fiscal Officer shall give to the assessee written notice thereof to be served by any reliable means of delivery, along with a copy of the delinquent tax assessment.
- C. The assessment shall become final thirty (30) days after service thereof upon the assessee, unless, the assessee, within thirty (30) days of service of notice of assessment, files with the Fiscal Officer a Petition for Reassessment providing written objection to the assessment, together with reasons for such objection and documentation therefore. Filing of a Petition for Reassessment shall stay enforcement by the Fiscal Officer. The Fiscal Officer shall consider the Petition for Reassessment and provide a determination to the assessee as to the result of such consideration, along with a final assessment.
- D. Thirty (30) days after notice of assessment, or upon notice of the determination the Petition for Reassessment by the Fiscal Officer, whichever is later, the assessment shall become final and the amount thereof shall be deemed a debt due and payable to the County. The Fiscal Officer shall cause to be filed a judgment lien in the amount of

the assessment, including penalties and interest added thereto under the provisions hereof.

- E. An appeal from the determination of a Petition for Reassessment may be made pursuant to the provisions of the Ohio Revised Code.
- F. All monies collected upon assessments including penalties and interest thereon shall, when received by the County, be considered as revenue arising from the tax.

#### **Section 712.11: Liability of Officers and Agents**

- A. If any person required to file returns and to remit the tax, fails for any reason to make such filing or payment, vendor's officers, partners or managing agents, or employees having control or supervision of, or charged with the responsibility of, filing returns and making payments of tax, shall be personally liable for such failure. The dissolution of such entity shall not discharge its liability for a failure to file returns or remit tax due prior to such dissolution.
- B. No vendor shall fail to file returns and remit the full and exact tax as required by this Code.
- C. Any person(s) or entity(s) owing such a debt to the County under the provisions of this Code which debt has become delinquent, shall be liable to any action brought in the name of the County of Cuyahoga, for the recovery of such amount.

#### **Section 712.12: Sale of Entire Business**

If a vendor, liable for the tax sells the business or quits the business, the taxes, interest, and penalties imposed hereby on taxable rents and/or transactions made prior to that time shall become due and payable immediately, and such person shall make a Final Return on the form specified by the Fiscal Office, within fifteen (15) days after the date of selling or quitting business. The successor to the business shall withhold a sufficient amount of the purchase money to cover the amount of such taxes, interest, and penalties due and unpaid until the former owner produces a receipt from the Fiscal Officer showing that the taxes, interest, and penalties have been paid, or a certificate (available upon request) indicating that no taxes are due. If the purchaser of the business fails to withhold purchase money, the purchaser shall be personally liable for the payment of the taxes, interest, and penalties accrued and unpaid during the operation of the business by the former owner. Regardless of whether there was purchase money, the successor shall be personally liable for the tax, interest and penalties accrued and unpaid during the operation of the business by the former owner.

### **Section 712.13: Intent**

It is the intent of these rules and regulations to provide for the administration of imposing, collecting and distributing the levy of an excise tax of five and one-half percent (5 ½%) on transactions and/or rent by which lodging by a hotel is or is to be furnished to transient guests as referred to and authorized by ORC 5739.09. Accordingly, these rules and regulations shall be construed to effectuate that purpose so as to be consistent with any requirement of law, compliance which is a prerequisite to the validity of the tax intended to be levied hereby.

### **Section 712.14: Severability**

If any sentence, clause, section or part of these rules and regulations, or any tax imposed as specified herein, is found to be unconstitutional, illegal or invalid, such unconstitutional, illegality or invalidity shall affect only such clause, sentence, section or part and shall not affect or impair any of the remaining provisions, sentences, clauses, sections or other parts of these rules and regulations. It is hereby declared to be the intention of Cuyahoga County that these rules and regulations would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

### **Section 712.15: Capability of Vendor's Equipment; Vendor's Responsibility for Full Amount of Tax Levied**

Notwithstanding any provision contained in this Code to the contrary, each vendor is hereby permitted to collect the tax from transient guests at the rate of five and one-half percent (5 ½%) of taxable rents; provided however, that the Cuyahoga County Hotel Lodging Excise Tax shall be stated on each rent invoice, bill statement, or other written change therefor, separately and apart from the Ohio sales tax and any similar tax imposed by a local sub-division; and provided further, that each vendor shall report monthly the total taxable rents collected during each month and pay the tax equal five and one-half percent (5 ½%) of such total taxable rents.

### **Section 712.16: Settlement of Tax Fund**

- A. All receipts collected from the excise tax levied hereby shall be deposited in the Undivided Hotel Lodging Tax Fund.
- B. 27.27% of total receipts collected from the excise tax shall be appropriated to Cuyahoga County for the purpose of contributing revenues for the acquisition, construction, equipping and financing of an educational and cultural facility”.

- C. After the Cuyahoga County Fiscal Officer deducts the real and actual costs of administering the tax, the County will deposit 25% of the remainder to the credit of the general fund to reimburse itself for moneys paid for the medical mart/convention center. After the general fund distribution, each municipal corporation or township that does not levy an excise tax on such transaction, shall receive a uniform percentage of the tax collected in the municipal corporation or in the unincorporated portion of the township for each such transaction not to exceed thirty-three and one-third percent.
- D. The balance remaining in the Hotel Lodging Tax Fund shall be forthwith paid as required by law to The Convention and Visitors Bureau of Greater Cleveland, Inc./Positively Cleveland.
- E. A claim for refund for taxes illegally or erroneously collected or paid, certified by the Fiscal Officer and for which a warrant is drawn on the County Treasurer, shall be paid from the Undivided Hotel Lodging Tax Fund.

**Section 712.17: Responsibilities of Convention Bureau and County**

- A. The amounts allocated herein and hereby to The Convention and Visitors Bureau of Greater Cleveland, Inc. /Positively Cleveland are so appropriated thereto on condition that the said corporation recognizes that the County's hotel and motel industry which bears responsibility hereunder for the collection of the tax hereby levied, extends beyond the borders of the City of Cleveland and its downtown area, and, therefore, undertakes to promote the purposes and premises of the Code throughout the entire County so that the hotel and motel industry of the County generally may share as equitably as possible in the benefits to be derived from the promotion of such purposes and premises.
- B. The Convention and Visitors Bureau of Greater Cleveland, Inc. /Positively Cleveland shall present quarterly financial and performance reports as well as an annual operations report each showing its use of the funds hereby appropriated.

**Section 712.18: Recognition of Local Governments Who Have Additional 3% Bed Tax**

The County recognizes that the Cities of Cleveland, Beachwood, Bedford Heights, Broadview Heights, Brooklyn, Brook Park, Euclid, Fairview Park, Independence, Maple Heights, Mayfield Heights, Middleburg Heights, North Olmsted, Rocky River, Solon, Strongsville, Warrensville Heights, and

Westlake; and the Villages of Mayfield, Oakwood, and Orange are presently levying a hotel lodging excise tax.

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

**SECTION 3.** 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

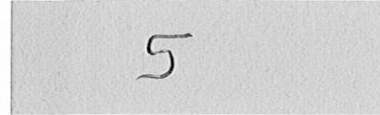
\_\_\_\_\_  
Clerk of Council      Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_





**Item Details:**

<b>Agency/Dept. Name:</b>	County Auditor	<b>Agency/Dept.Head Name:</b>	Fiscal Steen	Office/Wade
<b>Type of Request:</b>	Other			
<b>Request Prepared by:</b>	Kathy Goepfert	<b>Telephone No.</b>	443-6905	
<b>SUMMARY OF REQUESTED ACTION:</b>				
<p>Requesting a Cuyahoga County Council Ordinance for Cuyahoga County's Excise Tax on Lodging and Transient Guests, Code of Regulations, and declaring the necessity that this Ordinance become effective October 1, 2013. "The Code of Regulations" established pursuant to Resolution No. 3327 dated September 12, 2000 will now be called "Cuyahoga County Lodging Excise Tax Code of Regulations."The excise tax to be imposed for each transaction in Cuyahoga County will be at the rate of five and one-half percent (5 ½%).The tax applies and is collectable when the lodging is furnished, regardless of the time when the rent is paid or delivered or whether the sale is done at no charge.For the purpose of the proper administration, all rents and sales for hotel rooms in the County are subject to the tax until the contrary is established.The tax does not apply to transactions for lodging furnished to representatives of the United States government which are paid directly by the Federal government.The tax does not apply to transactions for lodging furnished to representatives of the Office of Foreign Missions, U.S. Department of State. The tax does not apply to optional services which may include: room service; porter or bellboy service, valet services, pay-for-view movies; wake-up calls and charges for telephone services, or other miscellaneous charges not related to the provision of accommodation and which are stated separately from the charge for lodging.The tax does apply to Vendor charges for: additional bed(s), bedding, house keeping, use of refrigerator/microwave, pet accommodations, safes or other similar services which are charged in addition to the room charge and are amenities to the room which relate to the provision of accommodations.The tax does apply to the room portion of any "package rate".The tax does apply to a receivable room charge, including non-refundable deposits or guaranteed no show revenue/fees paid by or on behalf of any person, whether or not the person actually exercises the right to occupancy by using or possessing any room or rooms, or portion thereof, whether it be termed "cancellation fee" or "attrition" or other term with similar</p>				

meaning.

Sponsored by County Executive FitzGerald/Fiscal Officer.

**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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[Dog license ordinance](#)

**History  
Time**

**Who**  
Clerk of the Board

**Approval**



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2013-0021

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer</b>	<b>An Ordinance</b> enacting Chapter 713 of the Cuyahoga County Code to establish various dog license fees, effective 12/1/2013; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Ohio House Bill 59 (Budget Bill) amended various Sections of the Ohio Revised Code Chapter 955, et seq. regarding the establishment of mandated options for dog registration for a 1 year dog license or 3 year dog license or permanent dog license effective December 1, 2013; and,

WHEREAS, Ohio House Bill 59 amended Section 955.14(C) of the Ohio Revised Code regarding the fee amounts payable to the Ohio State University College of Veterinary Medicine for each dog kennel registration; and,

WHEREAS, dog license fees were previously adopted in Cuyahoga County Resolution No. 082545 dated June 5, 2008; Resolution No. R2011-0344 dated February 14, 2012; and Resolution No. R2012-0200 dated October 9, 2012.

WHEREAS, the County is now required to annually administer a multi-option dog owner registration fee system effective December 1, 2013 beginning with the 2014 dog license renewal and purchase period.

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

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

**SECTION 1.** Chapter 713 of the Cuyahoga County Code is hereby enacted to read as follows:

### **CHAPTER 713: Dog License Fees**

#### **Section 713.01 Dog License Fees Established**

Cuyahoga County shall collect a Dog License Fee pursuant to O.R.C. Chapter 955, et seq. and other applicable laws for registration for a 1 year dog license, 3 year dog license and permanent dog license. The dog license fees for spayed and neutered dogs shall be as follows:

- A. 1 Year Dog License Fee is \$20 per dog.



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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# Novus AGENDA



4

**Item Details:**

<b>Agency/Dept. Name:</b>	County Auditor	<b>Agency/Dept. Head Name:</b>	Fiscal Steen	Office/Wade
<b>Type of Request:</b>	Other			
<b>Request Prepared by:</b>	Kathy Goepfert	<b>Telephone No.</b>	443-6905	
<b>SUMMARY OF REQUESTED ACTION:</b>				
<p>Requesting a Cuyahoga County Council Ordinance for Cuyahoga County Dog License Fees. Ohio House Bill 59 amended various Sections of the Ohio Revised Code Chapter 955, et seq. regarding the establishment of mandated options for dog registration for a 1 year dog license or 3 year dog license or permanent dog license effective December 1, 2013; and, Ohio House Bill 59 also amended Section 955.14(C) of the Ohio Revised Code regarding the fee amounts payable to the Ohio State University College of Veterinary Medicine for each dog kennel registration. Cuyahoga County is now required to annually administer a multi-option dog owner registration fee system effective December 1, 2013 beginning with the 2014 dog license renewal and purchase period. The new fees are listed below. 1 Year Dog License Fee is \$20 per dog. 3 Year Dog License Fee is \$60 per dog. Kennel Registration Fee is \$100 Permanent Dog License Fee is \$200 per dog. Ohio State University College of Veterinary Medicine shall receive .10 cents for each 1 Year Dog License; .30 cents for each 3 Year Dog License; and \$1.00 for each Permanent Dog License.</p>				
<b>PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):</b>				
<b>Explanation for late submittal:</b>				

**Contract/Agreement Information:**

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

**Financial Information:**

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<b>Funding source:</b>	<b>Explanation:</b>
<b>Total Amount Requested:</b>	
\$	

**ATTACHMENTS:**

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[Doq license ordinance](#)

**History**

**Time**

**Who**

Clerk of the Board

**Approval**

##### 1





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# COUNTY ADVISORY BULLETIN

**CAB**

*Published by: County Commissioners Association of Ohio*

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**BULLETIN 2013-02**

**JULY, 2013**

## **NEW THREE YEAR AND PERMANENT DOG REGISTRATIONS**

**APPLICABLE LEGISLATION:** Am. Sub. HB 59

**REVISED CODE SECTIONS:** ORC Sections 955.01, 955.05, 955.06, 955.07, 955.08, 955.09, 955.14 amended.

**SPONSORS:** Amstutz (Primary)

**Reps.** Anielski, Baker, Beck, Blair, Boose, Brown, Burkley, Conditt, Dovilla, Grossman, Hackett, C. Hagan, Hayes, Lynch, McClain, McGregor, Pelanda, Rosenberger, Ruhl, Sears, Sprague, Stebelton, Thompson

**Sens.** Beagle, Burke, Coley, Faber, Hite, Lehner, Oelslager, Peterson, Schaffer, Uecker, Widener

**EFFECTIVE DATE:** December 1, 2013 (for applicable sections)

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### **BULLETIN SUMMARY**

On December 1, 2013, new provisions of law dealing with dog registration fees included in the state budget bill, HB 59, will become effective. The new law will provide dog owners with the option of purchasing one-year, three-year, or permanent registrations for their animal beginning with the registration period beginning on December 1, 2013.

This County Advisory Bulletin (CAB) highlights changes in the law including the new three-year and permanent registration options, the establishment of registration fees, penalties for dog owners in non-compliance, and tips for implementing these changes.

Also included are two exhibits at the end of this CAB: 1), a list of the applicable Ohio Revised Code sections as amended (*See Exhibit A*); and 2), a sample resolution for



establishing registration fees that commissioners must pass by August 31<sup>st</sup> of this year (2013) and annually thereafter if the board seeks to change the fee from the prior year's amount (See *Exhibit B*).

## **BACKGROUND**

While CCAO, the County Auditors Association of Ohio (CAAO), and the Ohio County Dog Wardens Association (OCDWA) opposed the inclusion of these changes in the state budget for a number of reasons relating to implementation and potential adverse impacts on registration compliance rates, the changes were included in the final version of HB 59. CCAO, CAAO, and OCDWA were successful in delaying the effective date until December 1, 2013, rather than the normal effective date of September 29, 2013.

## **OHIO'S DOG REGISTRATION LAW (PRIOR TO HB 59 EFFECTIVE DATE)**

### **Annual Dog Registration and Kennel Registration**

Under current law, owners of dogs three months or older must annually register their dog between the preceding December 1<sup>st</sup> and January 31<sup>st</sup> of the current year with the county auditor or persons authorized by the county auditor to sell and accept registrations.<sup>1</sup>

Please note a board of commissioners may extend the period for the filing of annual dog registration applications by resolution.<sup>2</sup>

Similarly, every owner of a dog kennel must also annually register a kennel between the preceding December 1<sup>st</sup> and January 31<sup>st</sup> of the current year with the county auditor or persons authorized by the county auditor to sell and accept registrations.

### **Establishing a Dog Registration Fee and a Kennel Registration Fee**

Under current law, the base minimum statutory fee for an annual dog registration is \$2.<sup>3</sup> The base minimum statutory fee for an annual kennel registration is \$10.

However, if a board of county commissioners expects the cost of administering the dog laws in their respective county to exceed the total amount collected from such base fees, the commissioners may establish a higher annual dog and kennel registration fee by resolution, but must do so between February 1<sup>st</sup> and August 31<sup>st</sup>. Such increased

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1 ORC Section 955.14(E).

2 ORC Section 955.01. Please note exceptions for animal shelters, assistance dogs, law enforcement canines, and dogs transferred to a nonprofit teaching or research institution or organization under ORC Sections 955.01(C) 955.011, 055.012, and 955.16 respectively.

3 ORC Section 955.01(A)(1); Under ORC Section 955.01(A)(2) A board of county commissioners may establish a registration fee higher than \$2 for dogs 9 months or older that have not been spayed or neutered, show or breeding dogs, or hunting dogs if certain conditions apply.

fees then will apply to the following registration period cycle of December 1<sup>st</sup> to January 31<sup>st</sup>.<sup>4</sup>

In practice, counties routinely adopt such rate increases as the base fee of \$2 and \$10 respectively, is woefully inadequate to fund the cost of administering Ohio's dog laws. Please note that if a board of county commissioners decides to increase such fees, the increase must be in the ratio of \$2 for an annual dog registration fee and \$10 for a kennel registration fee.

### **OSU College of Veterinary Medicine**

If a board of county commissioners has increased the annual dog and kennel registration fees above the base \$2 and \$10 base minimum statutory fees, then on or before the March 1<sup>st</sup> of the following year, the county auditor must pay ten cents of each dog and kennel registration fee to the OSU College of Veterinary Medicine.

### **Penalties for Non-Compliance**

If the application for an annual dog registration or an annual kennel registration is not filed and the registration fee not paid before January 31<sup>st</sup> of each year<sup>5</sup>, the county auditor assesses a penalty in an amount equal to the dog registration fee upon the dog owner which must be paid with the registration fee.

### **Records Retention**

Under current law, a record of all certificates of registration issued and the applications for such registrations shall be kept by the auditor in a dog and kennel register for two years or until after an audit performed by the State Auditor.<sup>6</sup>

### **Dog Tags**

The form, character and lettering of dog tags are established by the county auditor. Each year the tag must be a color distinctive from the previous year.<sup>7</sup>

## **HB 59 CHANGES TO OHIO'S DOG REGISTRATION**

### **New Three Year and Permanent Registration Options**

As mentioned above, HB 59 now allows dog owners the option of purchasing registrations for one or three years or a permanent registration. The base fee for such registrations is \$2 for each year of registration for a one year or three year registration

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<sup>4</sup> Again, unless such registration period has been extended under ORC Section 955.01.

<sup>5</sup> Or a later registration date if so established by the board of county commissioners for dog registrations under ORC Section 955.01.

<sup>6</sup> ORC Section 955.07.

<sup>7</sup> ORC Section 955.08.

and \$20 for a permanent registration. Just as under current law, these base fees are similarly woefully inadequate to pay the county auditor and dog warden to administer Ohio's dog laws. Fortunately, a board of commissioners has the authority to increase the fees for such registrations. However, commissioners must do so between February 1<sup>st</sup> and August 31<sup>st</sup>.

In addition, while the current law applies such increases only to the following registration period, HB 59 allows the resolution increasing fees to specify the registration period or periods to which such increased fees apply. Thus, a board of commissioners will not need to pass an annual resolution increasing such fees if the board does not wish to change the fees from the prior year's established amounts. However, since this change in law becomes effective on December 1, 2013, boards of commissioners still must pass a resolution to set the fees for the one year as well as the new three year and permanent options by August 31, 2013, for the following registration period, assuming those fees are to exceed the base minimum statutory fees.

### **Establishing Dog Registration Fees and a Kennel Registration Fee**

HB 59 also establishes ratios, similar to current law, for the cost of such multi-year registrations.<sup>8</sup> Under the new law, an increase in fees must be in the ratio of \$2 for each year of a registration and \$20 for a permanent registration fee. Thus fees will be set based upon the county's annual registration fee and be a ratio of 3:1 for a three year registration and 10:1 for a permanent registration.

For example, if County A's current annual registration is \$12 and County A's Board of Commissioners decides not to increase or to stay with the \$12 per year fee, the Board would pass a resolution, prior to August 31<sup>st</sup> that establishes the following fees for one-year, three-year, and permanent dog registrations. (See calculations below)

	<b>ORC Minimum Base Fee</b>	<b>Ratio (multiplier)</b>	<b>County A Fee (by resolution)</b>
<b>One year registration</b>	\$2		\$12
<b>Three year registration</b>	\$6 (\$2 for each year of registration)	(\$12 x 3)	\$36
<b>Permanent registration</b>	\$20	(\$12 x 10)	\$120

Further, assume County B is also currently at \$12 for an annual registration fee, but County B's Board of Commissioners decides that, to administer the new multi-year options, the Board needs to increase the fee to \$14 per year of registration. The County B Board of Commissioners, prior to August 31<sup>st</sup>, must pass a resolution establishing the following fees for one-year, three-year, and permanent dog registrations. (See calculations below)

<sup>8</sup> ORC Section 955.14 specifies that the registration for a kennel fee shall be in a ratio of \$10 for every \$2 of annual registration fee.

	<b>ORC Minimum Base Fee</b>	<b>Ratio (multiplier)</b>	<b>County B Fee (by resolution)</b>
<b>One year registration</b>	\$2		\$14
<b>Three year registration</b>	\$6 (\$2 for each year of registration)	(\$14 x 3)	\$42
<b>Permanent registration</b>	\$20	(\$14 x 10)	\$140

Please see *Exhibit B* for a sample resolution establishing such fees (using the sample of a \$14 one year registration).

### **OSU College of Veterinary Medicine**

If a board of county commissioners has increased the annual dog and kennel registration fees above the base \$2 and \$10 base minimum statutory fees, then on or before the March 1<sup>st</sup> of the following year, the county auditor must continue to pay the OSU College of Veterinary Medicine ten cents for each one-year dog registration and kennel registration, but will also pay thirty cents for each three-year dog registration, and \$1 for each permanent dog registration to the OSU College of Veterinary Medicine.

### **Penalties for Non-Compliance**

While the penalties for non-compliance have not changed, there is now some question as to what the actual penalty should be. Some have argued that if a dog was most recently registered for three years then the three year fee should be the amount of the penalty. Others contend that the county cannot assume an owner would register the dog for any longer than one year and thus the one-year fee should be the amount of the penalty. CCAO would advise counties to follow the latter approach and will be working with stakeholders to clarify this provision of law.

### **Records Retention**

HB 59 now only requires a record of certificates issued and the applications for such registrations be kept by the county auditor in the dog and kennel register until after an audit by the State Auditor.

### **Dog Tags**

The new law now allows the color of dog tags to be prescribed by the county auditor without the requirement that the tags be of a different color than that during the previous year.

## Purchasing Tips

In addition, commissioners should expect county auditors and dog wardens to request the purchase of additional dog tags the next few years as they implement the new multi-year options. Wendy Oehlers, of **Online Dog Licensing**<sup>9</sup>, has offered various best practices going forward with the new multi-year options which include the following recommendations for the purchase of additional tags:

### 1-Year and 3-Year Metal Tags

1. There will be four active years of tags at any one time. All four tags should be different colors to maintain the visual check by the dog warden. Note: the four active tags will be the outgoing year's one-year and three-year and the incoming year's one-year and three-year.
2. Purchasing schedule
  - a. In 2013, purchase one set of 2014 tags and one set of 2016 tags.
  - b. In 2014, purchase one set of 2015 tags and one set of 2017 tags.
  - c. In 2015, purchase one set of 2018 tags and use the 2016's you have on hand.
  - d. In 2016, purchase one set of 2019 tags and use the 2017's you have on hand.
  - e. After the initial cost of purchasing an extra set of tags in 2014 and 2015, you will be back to purchasing one set of tags each year, the three-year tag.
3. Metal tags should continue to be stamped the same way you have in the past.  
For example:

2014 Ohio Dog	2016 Ohio Dog
00001	00001
Demo County	Demo County
4. Tags purchased as three-year tags will eventually be sold as one-year tags, so purchase the same number you normally would for each set of tags purchased. Eventually the number of tags you need to purchase will decrease.
5. Duplicates should be issued in the appropriate year/color. Don't forget to order blanks for each year. Durability may be an issue for three-year tags.

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<sup>9</sup> For more questions, contact Wendy Oehlers at **Online Dog Licensing** 1854 Far View Pl, Lancaster, OH 43130, Ph: 740-415-8858, Fx: 740-994-9258, [www.OnlineDogLicensing.com](http://www.OnlineDogLicensing.com).

## Permanent Metal Tags

1. Permanent tags should **not** include a year. For example:  
Ohio Dog  
P00001  
Demo County
2. Tags should use a "P" as a prefix, similar to the "DD" for dangerous and "K" for kennel.
3. Tags should be color &/or shape distinct from the annual tags. This could be accomplished by using a stainless silver color or setting aside a color not to be used for annual tags for the next 20+ years. You might also choose a distinct shape for your permanent tags. (Note: many counties already use stainless steel Ohio shaped tag for assistance<sup>10</sup> tags.)
4. Tags should be heavier gauge aluminum or stainless steel. If stainless steel is used, you may find that you need to assign a new tag number when issuing a duplicate instead of stamping out a duplicate.
5. Purchasing schedule
  - a. In 2013, purchase 1 set of permanent tags. Because the price of 10x annual fee will be a deterrent for many, **Online Dog Licensing** recommends purchasing 1/10th the number of annual tags. If you purchase 10,000 annual, you might purchase 1000 permanent to start. Note that these tags will be used over multiple years.
  - b. Going forward, purchase additional permanent tags annually as necessary. Remember to continue the existing sequence.

## ACKNOWLEDGEMENTS

CCAO would like to thank the numerous individuals with the County Auditors Association of Ohio (CAAO) and the Ohio County Dog Wardens Association (OCDWA) for their efforts in drafting this County Advisory Bulletin.

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<sup>10</sup> Per ORC Section 955.011, when an application is made for registration of an assistance dog and the owner can show proof by certificate or other means that the dog is an assistance dog, the owner of the dog shall be exempt from any fee for the registration. Registration for an assistance dog shall be permanent and not subject to annual renewal so long as the dog is an assistance dog.

EXHIBIT A

OHIO REVISED CODE SECTIONS 955.01, 955.05, 055.06, 055.07, 055.08, 955.09  
AND 955.14

AS ENACTED BY AM. SUB. HB 59 OF THE 130<sup>TH</sup> GENERAL ASSEMBLY

EFFECTIVE DECEMBER 1, 2013

**Sec. 955.01.** (A)(1) Except as otherwise provided in this section or in sections 955.011, 955.012, and 955.16 of the Revised Code, every person who owns, keeps, or harbors a dog more than three months of age, shall file, on or after the first day of the preceding applicable December, but before the thirty-first day of the applicable January of each year, in the office of the county auditor of the county in which the dog is kept or harbored, an application for registration for the following a period of one year, beginning the thirty-first day of January of that year or three years or an application for a permanent registration. The board of county commissioners, by resolution, may extend the period for filing the application. The application shall state the age, sex, color, character of hair, whether short or long, and breed, if known, of the dog and the name and address of the owner of the dog. A registration fee of two dollars for each year of registration for a one-year or three-year registration or twenty dollars for a permanent registration for each dog shall accompany the application, unless. However, the fee may exceed that amount if a greater fee has been established under division (A)(2) of this section or under section 955.14 of the Revised Code.

(2) A board of county commissioners may establish a registration fee higher than the one provided for in division (A)(1) of this section for dogs more than nine months of age that have not been spayed or neutered, except that the higher registration fee permitted by this division shall not apply if a person registering a dog furnishes with the application either a certificate from a licensed veterinarian verifying that the dog should not be spayed or neutered because of its age or medical condition or because the dog is used or intended for use for show or breeding purposes or a certificate from the owner of the dog declaring that the owner holds a valid hunting license issued by the division of wildlife of the department of natural resources and that the dog is used or intended for use for hunting purposes. If the board establishes such a fee, the application for registration shall state whether the dog is spayed or neutered, and whether a licensed veterinarian has certified that the dog should not be spayed or neutered or the owner has stated that the dog is used or intended to be used for hunting purposes. The board may require a person who is registering a spayed or neutered dog to furnish with the application a certificate from a licensed veterinarian verifying that the dog is spayed or neutered. No person shall furnish a certificate under this division which that the person knows to be false.

(B) If the application for registration is not filed and the registration fee paid, on or before the thirty-first day of the applicable January of each year or, if the board of county commissioners by resolution has extended the date to a date later than the

thirty-first day of January, the date established by the board, the auditor shall assess a penalty in an amount equal to the registration fee upon the owner, keeper, or harborer, which must shall be paid with the registration fee.

(C) An animal shelter that keeps or harbors a dog more than three months of age is exempt from paying any fees imposed under division (A) or (B) of this section if it is a nonprofit organization that is exempt from federal income taxation under subsection 501(a) and described in subsection 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. ~~285~~ 2085, 26 U.S.C. 1.

**Sec. 955.05.** After the thirty-first day of January of any year, except as otherwise provided in section 955.012 or 955.16 of the Revised Code, every person, immediately upon becoming the owner, keeper, or harborer of any dog more than three months of age or brought from outside the state during any year, shall file like applications, with fees, as required by section 955.01 of the Revised Code, for registration for the current year. ~~If such the application is not filed and the fee paid, within thirty days after such the dog is acquired, becomes three months of age, or is brought from outside the state, the auditor shall assess a penalty in an amount equal to the registration fee upon such the owner, keeper, or harborer, which must shall be paid with the registration fee. Thereafter, the owner, keeper, or harborer shall register the dog for a period of one year or three years or register the dog permanently as provided in section 955.01 of the Revised Code.~~

Every person becoming the owner of a kennel of dogs after the thirty-first day of January of any year shall file like applications, with fees, as required by section 955.04 of the Revised Code, for the registration of such kennel for the current calendar year. If such application is not filed and the fee paid within thirty days after the person becomes the owner of such kennel, the auditor shall assess a penalty in an amount equal to the registration fee upon the owner of such kennel.

**Sec. 955.06.** The owner, keeper, or harborer of a dog becoming three months of age after the first day of July in a calendar year and the owner, keeper, or harborer of a dog purchased outside the state after the first day of July in a calendar year shall register the dog for one year. The registration fee for any such dog becoming three months of age after the first day of July of any year and the registration fee of any dog purchased from outside the state after the first day of July of any year shall be one-half of the original fee. Thereafter, the owner, keeper, or harborer shall register the dog for a period of one year or three years or register the dog permanently as provided in section 955.01 of the Revised Code.

**Sec. 955.07.** Upon the filing of the application for registration required by sections 955.01 and 955.04 of the Revised Code and upon the payment of the registration fee and the administrative fee, if applicable, the county auditor shall assign a distinctive number to every dog or dog kennel described in the application and shall deliver a certificate of registration bearing the number to the owner of the dog or dog kennel. A record of all certificates of registration issued, together with the applications



for registration, shall be kept by the auditor in a dog and kennel register ~~for two years or~~ until after an audit performed by the auditor of state, ~~whichever is later~~. This record shall be open to the inspection of any person during reasonable business hours.

**Sec. 955.08.** In addition to the certificate of registration provided for by section 955.07 of the Revised Code, the county auditor shall issue to every person making application for the registration of a dog and paying the required fee therefor a metal tag for each dog so registered. The form, color, character, and lettering of the tag shall be prescribed by the county auditor. ~~Each year the tag shall be a color distinctive from that of the previous year.~~ If a tag is lost, a duplicate shall be furnished by the auditor upon proper proof of loss and the payment of five dollars for each duplicate tag issued.

**Sec. 955.09.** Certificates of registration and registration tags shall be valid only during the calendar year in or years for which they are issued, ~~and during the first thirty-one days of the following calendar year.~~

**Sec. 955.14.** (A) Notwithstanding section 955.01 of the Revised Code, a board of county commissioners by resolution may increase dog and kennel registration fees in the county. The amount of the fees shall not exceed an amount that the board, in its discretion, estimates is needed to pay all expenses for the administration of this chapter and to pay claims allowed for animals injured or destroyed by dogs. Such a resolution shall be adopted not earlier than the first day of February and not later than the thirty-first day of August of any year and shall apply to specify the registration period commencing on the first day of December of the current year and ending on the thirty-first day of January of the following year, unless the period is extended under section 955.01 of the Revised Code or periods to which the increased fees apply. Any An increase in fees adopted under this division shall be in the ratio of two dollars for each year of registration for a dog registration fee, twenty dollars for a permanent for a dog registration fee, and ten dollars for a kennel registration fee.

(B) Not later than the fifteenth day of October of each year, the board of county commissioners shall determine if there is sufficient money in the dog and kennel fund, after paying the expenses of administration incurred or estimated to be incurred for the remainder of the year, to pay the claims allowed for animals injured or destroyed by dogs. If the board determines there is not sufficient money in the dog and kennel fund to pay the claims allowed, the board shall provide by resolution that all claims remaining unpaid shall be paid from the general fund of the county. All money paid out of the general fund for those purposes may be replaced by the board from the dog and kennel fund at any time during the following year notwithstanding section 5705.14 of the Revised Code.

(C) Notwithstanding section 955.20 of the Revised Code, if dog and kennel registration fees in any county are increased above two dollars for each year of registration and twenty dollars for a permanent registration for a dog registration fee and ten dollars, respectively, for a kennel registration fee under authority of division (A) of this section, then on or before the first day of March following each year in which the

increased fees are in effect, the county auditor shall draw on the dog and kennel fund a warrant payable to the college of veterinary medicine of the Ohio state university in an amount equal to ten cents for each one-year dog and registration, thirty cents for each three-year dog registration, one dollar for each permanent dog registration, and ten cents for each kennel registration fee received during the preceding year. The money received by the college of veterinary medicine of the Ohio state university under this division shall be applied for research and study of the diseases of dogs, particularly those transmittable to humans, and for research of other diseases of dogs that by their nature will provide results applicable to the prevention and treatment of both human and canine illness.

(D) The Ohio state university college of veterinary medicine shall be responsible to report annually to the general assembly the progress of the research and study authorized and funded by division (C) of this section. The report shall briefly describe the research projects undertaken and assess the value of each. The report shall account for funds received pursuant to division (C) of this section and for the funds expended attributable to each research project and for other necessary expenses in conjunction with the research authorized by division (C) of this section. The report shall be filed with the general assembly by the first day of May of each year.

(E) The county auditor may authorize agents to receive applications for registration of dogs and kennels and to issue certificates of registration and tags. If authorized agents are employed in a county, each applicant for a dog or kennel registration shall pay to the agent an administrative fee of seventy-five cents in addition to the registration fee. The administrative fee shall be the compensation of the agent. The county auditor shall establish rules for reporting and accounting by the agents. No administrative or similar fee shall be charged in any county except as authorized by this division or division (F) of this section.

(F) For any county that accepts the payment of dog and kennel registration fees by financial transaction devices in accordance with section 955.013 of the Revised Code, in addition to those registration fees, the county auditor shall collect for each registration paid by a financial transaction device one of the following:

(1) An administrative fee of seventy-five cents or another amount necessary to cover actual costs designated by the county auditor;

(2) If the board of county commissioners adopts a surcharge or convenience fee for making payments by a financial transaction device under division (E) of section 301.28 of the Revised Code, that surcharge or convenience fee;

(3) If the county auditor contracts with a third party to provide services to enable registration via the internet as provided in section 955.013 of the Revised Code, a surcharge or convenience fee as agreed to between that third party and the county for those internet registration services. Any additional expenses incurred by the county auditor that result from a contract with a third party as provided in this section and

section 955.013 of the Revised Code and that are not covered by a surcharge or convenience fee shall be paid out of the allowance provided to the county auditor under section 955.20 of the Revised Code.

(G) The county auditor shall post conspicuously the amount of the administrative fee, surcharge, or convenience fee that is permissible under this section on the web page where the auditor accepts payments for registrations made under division (B)(1) of section 955.013 of the Revised Code. If any person chooses to pay by financial transaction device, the administrative fee, surcharge, or convenience fee shall be considered voluntary and is not refundable.

(H) As used in this section, "animal" has the same meaning as in section 955.51 of the Revised Code.

**EXHIBIT B**

**DRAFT RESOLUTION**

**IN THE MATTER OF DECLARING 2014 DOG LICENSE FEES – 1 YR., 3 YR., AND  
PERMANENT LICENSE FEES FOR \_\_\_\_\_ COUNTY –**

Whereas: Ohio House Bill 59 (Budget Bill) amended Sections 955.01, 955.05, 955.06, 955.07, 955.08, and 955.09 of the Revised Code regarding establishment of mandated options for dog registration for a 1 year dog license or 3 year dog license or permanent dog license effective December 1, 2013; and,

Whereas: Ohio House Bill 59 amended Section 955.14 (C) of the Revised Code regarding the fee amounts payable to the college of veterinary medicine for the Ohio state university for each dog and kennel registration; and,

Whereas: Ohio House Bill 59 amended Section 955.14 (A) of the Revised Code regarding an established the ratio for dog registration fees to \$2.00 for each year of dog registration, and \$20 for a permanent dog registration, which not transferable; and,

Whereas: The \_\_\_\_\_ County Auditor is now required to annually administer a multi-option dog owner registration fee system effective December 1, 2013 beginning with the 2014 dog license renewal and purchase period; and

Whereas: The \_\_\_\_\_ County Dog Warden agency is also available to assist in processing multi-year dog registrations; NOW, THEREFORE,

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**BE IT RESOLVED** by the Board of County Commissioners, County of \_\_\_\_\_, State of Ohio:

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That we do hereby authorize the \_\_\_\_\_ County Auditor to receive dog license fees for the year 2014 in accordance with Ohio House Bill 59 and subsequent payment to OSU College of Veterinary Medicine.

1 Year Dog License Fees	\$14.00 per dog per ORC 955.14, \$14.00 late fee penalty per ORC 955.05
3 Year Dog License Fees	\$42.00 per dog per ORC 955.14
Permanent Dog License Fees	\$140.00 per dog per ORC 955.14
Kennel Fee	\$70.00 per ORC 955.14
OSU College of Veterinary Medicine	.10 cents-1 Yr., .30 cents-3 Yr., \$1.00-Permanent per ORC 955.14

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Motion by

seconded by

that the resolution be adopted was carried by the following vote:

YEAS: \_\_\_\_\_ \* \_\_\_\_\_ \*

NAYS: \_\_\_\_\_ \* \_\_\_\_\_ \*

CC: \_\_\_\_\_, Auditor  
\_\_\_\_\_, Asst. Prosecutor  
\_\_\_\_\_, Dog Warden  
\_\_\_\_\_, Auditor

FILE

Adopted: July 30, 2013

Commissioner \_\_\_\_\_  
Commissioner \_\_\_\_\_  
Commissioner \_\_\_\_\_  
Clerk/Administrator \_\_\_\_\_,