



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, AUGUST 27, 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) August 13, 2013 Committee of the Whole Meeting (See Page 13)
  - b) August 13, 2013 Regular Meeting (See Page 17)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**
  - a) M2013-0026: A Motion providing for the appointment of Christina Culek as Council Office Assistant to serve the Council of Cuyahoga County, and declaring the necessity that this Motion become immediately effective. (See Page 37)

Sponsor: Council President Connally/Chief of Staff

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

- a) M2013-0027: A Motion confirming the County Executive's reappointment of Matthew A. Charboneau to serve on the Cuyahoga Arts and Culture Board of Trustees for the term ending 3/31/2016, and declaring the necessity that this Motion become immediately effective. (See Page 39)

Sponsors: Councilmembers Connally and Conwell

- b) M2013-0028: A Motion confirming the County Executive's appointment of Matt Carroll to serve on the Group Plan Commission for the term ending 4/8/2017, and declaring the necessity that this Motion become immediately effective. (See Page 47)

Sponsors: Councilmembers Connally and Conwell

- c) M2013-0029: A Motion confirming the County Executive's appointment of various individuals to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term ending 1/31/2017, and declaring the necessity that this Motion become immediately effective: (See Page 51)

- 1) Carol Dayton
- 2) BJ Brown
- 3) Constance Hill-Johnson

Sponsors: Councilmembers Connally and Conwell

**11. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**

- a) R2013-0184: A Resolution approving an Agreement governing the duties, powers and responsibilities of the Prosecutor's Office and the Department of Law and authorizing the Council President to execute the Agreement on behalf of County Council; and declaring the necessity that this Resolution become immediately effective. (See Page 63)

Sponsor: Council President Connally

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

- a) R2013-0185: A Resolution providing for an initial Cuyahoga County Criminal Justice Services review, to ensure coordination of county efforts to provide a fair, transparent, and accountable system of justice; and

declaring the necessity that this Resolution become immediately effective. (See Page 66)

Sponsors: Councilmembers Connally and Gallagher

### **13. CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR THIRD READING ADOPTION**

- 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 69)

Sponsors: Council President Connally on behalf of Charter Review Commission and Councilmember Miller

- 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 73)

Sponsors: Council President Connally on behalf of Charter Review Commission and Councilmember Miller

- 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 77)

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 80)

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 83)

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 86)

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 89)

Sponsors: Council President Connally on behalf of Charter Review Commission

- h) 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 92)

Sponsors: Councilmembers Conwell and Miller

- i) 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 98)

Sponsors: Councilmembers Connally and Miller

- j) 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 101)

Sponsors: Councilmembers Simon and Miller

- k) 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 104)

Sponsors: Councilmembers Connally and Greenspan

- l) 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 107)

Sponsors: Councilmembers Connally, Greenspan and Miller

- m) 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 110)

Sponsors: Councilmembers Greenspan and Schron

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

- a) R2013-0186: 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 113)

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

- b) R2013-0187: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Communications Workers of America, Local 4340, representing approximately 59 employees in 6 classifications in the Sheriff's Department 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. (See Page 140)

Sponsor: County Executive FitzGerald/Departments of Law and Sheriff

- c) R2013-0188: A Resolution fixing the 2014 sewer maintenance and/or sewerage treatment rates for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective. (See Page 143)

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

- d) R2013-0189: A Resolution approving and confirming the 2014 sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective. (See Page 154)

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

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

- a) R2013-0190: A Resolution making an award on RQ27675 to C & K Industrial Services, Inc. in the amount not-to-exceed \$1,670,690.00 for cleaning and televising sanitary sewers in various communities for the period 10/1/2013 - 9/30/2015; authorizing the County Executive to execute the contract and all other documents consistent with said award

and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 159)

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

- b) R2013-0191: A Resolution authorizing an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for lease of office space located at 1701 East 12<sup>th</sup> Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014 to change the scope of services, effective 10/1/2013, and for additional funds in the amount of \$220,000.03; 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. (See Page 164)

Sponsor: County Executive FitzGerald/Department of Public Works

- c) R2013-0192: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 by providing for an additional fiscal appropriation from the General Fund in order to meet the budgetary needs of a County department; and declaring the necessity that this Resolution become immediately effective. (See Page 166)

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

- d) R2013-0193: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to Chagrin Valley Dispatch Council of Governments in the amount not-to-exceed \$330,000.00 for Public Safety Answering Point consolidation support for the period 9/1/2013 - 12/31/2014; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 170)

Sponsor: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management

- e) R2013-0194: A Resolution authorizing a Master Services Agreement with The MetroHealth System in the total amount not-to-exceed \$4,417,955.84 for various services for various time periods; 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 174)

- 1) in the amount not-to-exceed \$268,000.00 for toxicology services for Common Pleas Court/Adult Probation Department for the period 6/1/2011 - 12/31/2016.
- 2) in the amount not-to-exceed \$2,430,991.84 for toxicology services for Common Pleas Court/Juvenile Court Division for the period 7/1/2013 - 6/30/2015.
- 3) in the amount not-to-exceed \$443,964.00 for medical home services for the Pediatric Foster Care Program for Division of Children and Family Services for the period 8/1/2013 - 7/31/2015.
- 4) in the amount not-to-exceed \$1,275,000.00 for toxicology services for Division of Children and Family Services for the period 8/1/2011 - 7/31/2016.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and on behalf of Common Pleas Court/Adult Probation Department and Juvenile Court Division

- f) R2013-0195: A Resolution making an award on RQ28280 to Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,383,696.00 for managing the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the McKinney-Vento Homeless Assistance Act for the period 8/1/2013 - 7/31/2014; 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 179)

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

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

- a) 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; authorizing the Director of Public Works to administer the



project; and declaring the necessity that this Resolution become immediately effective. (See Page 185)

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

- b) 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 189)

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

Committee Assignment and Chair: Finance & Budgeting – Miller

- c) 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 201)

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

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

- d) 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 203)

Sponsors: County Executive FitzGerald/Department of Public Works and Councilmember Rogers

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

- e) 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 206)

Sponsor: County Executive FitzGerald/Department of Public Works

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

- f) 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 210)

Sponsor: County Executive FitzGerald/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting – Miller

- g) 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 212)

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

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

- h) 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 214)

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

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

- i) 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

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

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

- a) 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 219)

Sponsors: County Executive FitzGerald/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting – Miller

**18. MISCELLANEOUS COMMITTEE REPORTS**

**19. MISCELLANEOUS BUSINESS**

**20. PUBLIC COMMENT UNRELATED TO AGENDA**

**21. ADJOURNMENT**

**NEXT MEETING**

**REGULAR MEETING:**

TUESDAY, SEPTEMBER 10, 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 COMMITTEE OF THE WHOLE MEETING  
TUESDAY, AUGUST 13, 2013  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
2:00 PM**

### **1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 2:03 p.m.**

### **2. ROLL CALL**

**Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Brady, Schron, Conwell, Rogers, Greenspan, Miller and Connally were in attendance and a quorum was determined. Councilmembers Germana and Jones entered the meeting shortly after the roll call was taken. Councilmember Gallagher was absent from the meeting. A motion was then made by Council President Connally, seconded by Mr. Schron and approved by unanimous vote to excuse Mr. Gallagher's absence.**

### **3. PUBLIC COMMENT RELATED TO AGENDA**

**The following citizens addressed Council regarding issues of concern to them relating to Resolution No. 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:**

- a) Mr. Ken Fogle**
- b) Mr. Rick Foran**
- c) Mr. Dennis Mylott**
- d) Mr. Aaron Marks**
- e) Mr. Tony Thomas**
- f) Mr. Glenn Billington**
- g) Mr. David Ellison and**
- h) Mr. Nick Alexander**

#### 4. MATTERS REFERRED TO COMMITTEE

- a) 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; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

**Mr. Ryan Jeffers, First Vice President of CBRE, and Ms. Bonnie Teeuwen, Director of Public Works, addressed Council regarding Resolution No. R2013-0169. Discussion ensued.**

**Councilmembers asked questions of Mr. Jeffers and Ms. Teeuwen pertaining to the item, which they answered accordingly.**

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0169 was considered and approved by majority roll-call vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules with Councilmembers Germana, Schron, Conwell, Jones, Rogers and Miller voting in the affirmative and Councilmembers Brady, Greenspan and Connally casting dissenting votes.**

- b) 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; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

**Mr. Jeffers and Ms. Teeuwen addressed Council regarding Resolution No. R2013-0170. Discussion ensued.**

**Councilmembers asked questions of Mr. Jeffers and Ms. Teeuwen pertaining to the item, which they answered accordingly.**

**A motion was then made by Mr. Schron and seconded by Ms. Conwell to refer Resolution No. R2013-0170 to the full Council agenda with a recommendation for passage under second reading suspension of the rules. The motion failed by a roll-call vote of 1 yea and 8 nays with Councilmember Germana voting in the affirmative**

and Councilmembers Brady, Schron, Conwell, Jones, Rogers, Greenspan, Miller and Connally casting dissenting votes.

No further legislative action was taken on Resolution No. R2013-0170.

## 5. PRESENTATION

- a) Convention Center Hotel Project – Jeffrey Appelbaum

Mr. Jeffrey Applebaum addressed Council regarding temporary moving costs and various other aspects associated with the Convention Center Hotel Project including the scope, hotel operator, schedule and proposed financing arrangements. Discussion ensued.

Councilmembers asked questions of Mr. Applebaum pertaining to the item, which he answered accordingly.

County Executive FitzGerald then provided comment and insight into the project and timetable.

A short recess was taken after which Council President Connally then reconvened the meeting.

## 6. DISCUSSION / EXECUTIVE SESSION

- a) Matters required to be kept confidential under federal or state law: privileged attorney-client communications, trade secrets, and R.C. 307.862(C).

A motion was then made by Mr. Brady, seconded by Mr. Germana and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters required to be kept confidential under federal or state law: privileged attorney-client communications, trade secrets, and R.C. 307.862(C), and for no other purpose whatsoever. Executive Session was then called to order by President Connally at 4:32 p.m. The following Councilmembers were present: Brady, Germana, Conwell, Jones, Rogers, Greenspan, Miller and Connally. Councilmember Simon was in attendance sometime after roll-call was taken. Councilmember Schron was absent from Executive Session. The following additional attendees were present: Law Director Majeed Makhoul; Director of Public Works Bonnie Teeuwen; Jeffrey Applebaum and Patrick Sweeney, representing Thompson Hine and PMC; David O'Neal, representing Conventional Wisdom; and Chief of Staff Joseph Nanni, Legislative Budget Advisor Trevor McAleer and Research & Policy Analyst Kahlil Seren. At 5:07 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the meeting.

7. MISCELLANEOUS BUSINESS

**There was no miscellaneous business.**

8. PUBLIC COMMENT UNRELATED TO AGENDA

**There was no public comment given unrelated to the agenda.**

9. ADJOURNMENT

**With no further business to discuss, the meeting was adjourned at 5:08 p.m., without objection.**





## **MINUTES**

**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**

**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 Germana, Schron, Conwell, Jones, Rogers, Simon, Greenspan, Miller, Brady and Connally were in attendance and a quorum was determined. Councilmember Gallagher was absent from the meeting. A motion was then made by Ms. Conwell, seconded by Mr. Germana and approved by unanimous vote to excuse Mr. Gallagher from the meeting.**

### **3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

### **4. SILENT MEDITATION**

**Council President Connally requested a moment of silent meditation be dedicated to missing children and adults in our County and that they may all return home safely.**

### **5. PUBLIC COMMENT RELATED TO AGENDA**

**Ms. Lynda Mayer, representing the League of Women Voters, addressed Council regarding issues of concern to her relating to Resolution Nos. R2013-0138 and R2013-0164, Resolutions establishing the Agency of Inspector General in the County Charter.**

6. APPROVAL OF MINUTES

- a) July 23, 2013 Regular Meeting
- b) July 24, 2013 Committee of the Whole Meeting

**A motion was made by Mr. Schron, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the July 23, 2013 regular meeting and the July 24, 2013 Committee of the Whole meeting.**

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

**Council President Connally reported the following:**

- 1) **Presiding Judges of Courts located in the County Courthouse expressed concerns regarding parking areas reserved for events sponsored by the Global Center for Health Innovation; the Judges are requesting that a meeting be scheduled with the Department of Public Works in order to discuss their concerns; and**
- 2) **Attended a press conference regarding the County Executive's announcement of a new investment plan for the County's portfolio for a suburban infrastructure program. She stated that Council needs more information before it can be supportive of the program and then referred the matter to the Finance & Budgeting Committee. She then asked Mr. Schron to comment, as he is Council's representative on the Investment Advisory Committee. Mr. Schron stated that the issue was discussed at the last Investment Advisory Committee meeting and that he supports the concept. He also said that he will provide updates to Council regarding the issue.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

- a) Contracts executed by County Executive (attachment)

**County Executive FitzGerald reported the following:**

- 1) **Rebutted Council President Connally's statements regarding the announcement of the suburban infrastructure program and said that the concept was given to Council during his messages sometime last month. He then explained the need to provide the suburbs with this type of assistance.**
- 2) **The parking situation will be taken very seriously; and**
- 3) **Agreed with comments given by Ms. Lynda Mayer, representing the League of Women Voters, regarding the Charter amendments relating to the Inspector General.**

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 **for the term ending 1/31/2017**, and declaring the necessity that this Motion become immediately effective.

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Motion No. M2013-0025 to the Human Resources, Appointments & Equity Committee.**

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

**A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Motion Nos. M2013-0022, M2013-0023 and M2013-0024.**

- 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:

- 1) Brandon D. Cox **for the term ending 1/31/2018.**
- 2) Roland J. DeMonte **for the term ending 1/31/2017.**
- 3) Evan T. Byron **for the term ending 1/31/2016.**

Sponsors: Councilmembers Connally and Conwell

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

**On a motion by Ms. Conwell with a second by Mr. Rogers, Motion No. M2013-0022 was considered and adopted by unanimous vote.**

- 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:

- 1) Steve Killpack **for the term ending 6/30/2016.**
- 2) Eileen Saffran **for the term ending 6/30/2017.**

Sponsors: Councilmembers Connally and Conwell

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

**On a motion by Ms. Conwell with a second by Mr. Germana, Motion No. M2013-0023 was considered and adopted by unanimous vote.**

- 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 **for the term ending 7/31/2016**, and declaring the necessity that this Motion become immediately effective:

- 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

**On a motion by Ms. Conwell with a second by Mr. Germana, Motion No. M2013-0024 was considered and adopted by unanimous vote.**

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

**A motion was made by Mr. Miller, 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. R2013-0158, R2013-0159, R2013-0160, R2013-0161, R2013-0162 and R2013-0164.**

- 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

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0158 into the record.**

**Ms. Conwell introduced a proposed substitute to Resolution No. R2013-0158. Discussion ensued. A motion was then made by Ms. Conwell, seconded by Mr. Miller and approved by unanimous vote to accept the proposed substitute.**

**This item will move to the August 27, 2013 Council meeting agenda for third reading.**

- 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

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0159 into the record.**

**This item will move to the August 27, 2013 Council meeting agenda for third 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

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0160 into the record.**

**Ms. Simon introduced a proposed substitute to Resolution No. R2013-0160. Discussion ensued. A motion was then made by Ms. Simon, seconded by Mr. Germana and approved by unanimous vote to accept the proposed substitute.**

**This item will move to the August 27, 2013 Council meeting agenda for third 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

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0161 into the record.**

**This item will move to the August 27, 2013 Council meeting agenda for third reading.**

- 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

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0162 into the record.**

**This item will move to the August 27, 2013 Council meeting agenda for third reading.**

- 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.

Sponsors: Councilmembers Greenspan and Schron

Committee Assignment and Chair: Committee of the Whole – Greenspan

**Clerk Schmotzer read Resolution No. R2013-0164 into the record.**

**This item will move to the August 27, 2013 Council meeting agenda for third reading.**

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.

Sponsors: Council President Connally **and Councilmembers Brady and Rogers**

**On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2013-0127 was considered and adopted by unanimous vote.**

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

**A motion was made by Ms. Connally, seconded by Mr. Miller and approved by unanimous vote to defer Resolution Nos. R2013-0136, R2013-0137, R2013-0139, R2013-0140, R2013-0143, R2013-0144 and R2013-0145 to the August 27, 2013 Council agenda for third reading. No further legislative action was taken.**

- 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 **and Councilmember Miller**

- 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 **and Councilmember Miller**

- 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

- 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

- 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

- 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

- 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

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

**A motion was made by Mr. Schron, seconded by Mr. Miller 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 third 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

**A motion was made by Mr. Schron and seconded by Mr. Miller to approve Resolution No. R2013-0133. The motion failed by a vote of 1 yea and 9 nays with Councilmember Conwell voting in the affirmative and Councilmembers Germana, Schron, Jones, Rogers, Simon, Greenspan, Miller, Brady and Connally casting dissenting votes.**

- 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

**A motion was made by Mr. Schron and seconded by Mr. Rogers to approve Resolution No. R2013-0134. The motion failed by a roll-call vote of 2 yeas and 8 nays with Councilmembers Rogers and Greenspan voting in the affirmative and Councilmembers Germana, Schron, Conwell, Jones, Simon, Miller, Brady and Connally casting dissenting votes.**

- 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

**A motion was made by Mr. Schron and seconded by Mr. Brady to approve Resolution No. R2013-0135. The motion failed unanimously with no Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.**

- 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

**A motion was made by Mr. Schron and seconded by Mr. Miller to approve Resolution No. R2013-0138. The motion failed by a vote of 1 yea and 9 nays with Councilmember Greenspan voting in the affirmative and Councilmembers Germana, Schron, Conwell, Jones, Rogers, Simon, Miller, Brady and Connally casting dissenting votes.**

- 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

**A motion was made by Mr. Schron and seconded by Mr. Miller to approve Resolution No. R2013-0141. The motion failed unanimously with no Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.**

- 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

**A motion was made by Mr. Schron and seconded by Mr. Miller to approve Resolution No. R2013-0142. The motion failed unanimously with no Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.**

- 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

**A motion was made by Mr. Schron and seconded by Mr. Miller to approve Resolution No. R2013-0146. The motion failed unanimously with no Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.**

- 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

**A motion was made by Mr. Schron and seconded by Mr. Miller to approve Resolution No. R2013-0147. The motion failed unanimously with no**

**Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.**

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.

Sponsors: Councilmembers Jones, Miller, **Brady and Simon**

**Council President Connally referred Ordinance No. O2013-0019 to the Finance & Budgeting Committee.**

16. CONSIDERATION OF A RESOLUTION FOR FIRST READING ~~ADOPTION UNDER~~  
~~SUSPENSION OF RULES~~ **AND REFERRAL TO COMMITTEE**

- 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.

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

**Council President Connally referred Resolution No. R2013-0175 to the Finance & Budgeting Committee.**

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.

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

**Council President Connally referred Resolution No. R2013-0176 to the Public Works, Procurement & Contracting Committee.**

- 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.

Sponsors: County Executive FitzGerald/Department of Public Works and Councilmember Rogers

**Council President Connally referred Resolution No. R2013-0177 to the Public Works, Procurement & Contracting Committee.**

- 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.

Sponsor: County Executive FitzGerald/Department of Public Works

**Council President Connally referred Resolution No. R2013-0178 to the Public Works, Procurement & Contracting Committee.**

- 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:
  - 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

**Council President Connally referred Resolution No. R2013-0179 to the Committee of the Whole.**

- 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.

Sponsor: County Executive FitzGerald/Fiscal Officer

**Council President Connally referred Resolution No. R2013-0180 to the Finance & Budgeting Committee.**

- 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.

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

**Council President Connally referred Resolution No. R2013-0181 to the Health, Human Services & Aging Committee.**

- 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.

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

**Council President Connally referred Resolution No. R2013-0182 to the Health, Human Services & Aging Committee.**

- 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:
- 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

**Council President Connally referred Resolution No. R2013-0183 to the Health, Human Services & Aging Committee.**

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

**A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2013-0168, R2013-0171, R2013-0173 and R2013-0174.**

- 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**

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

**On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0168 was considered and adopted by unanimous vote.**

- 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.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Economic Development & Planning –  
Schron

**On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2013-0171 was considered and adopted by unanimous vote.**

- 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.

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

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



**On a motion by Ms. Conwell with a second by Mr. Schron, Resolution No. R2013-0173 was considered and adopted by unanimous vote.**

- 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:
- 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

**On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2013-0174 was considered and adopted by unanimous vote.**

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.

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

**On a motion by Mr. Jones with a second by Mr. Rogers, Resolution No. R2013-0101 was considered and adopted by unanimous vote.**

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.

Sponsors: County Executive FitzGerald/Fiscal Officer

**Council President Connally referred Ordinance No. O2013-0020 to the Finance & Budgeting Committee.**

- 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.

Sponsors: County Executive FitzGerald/Fiscal Officer

**Council President Connally referred Ordinance No. O2013-0021 to the Finance & Budgeting Committee.**

21. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, August 19, 2013 at 1:00 p.m.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, August 21, 2013 at 11:00 a.m.**

**Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, August 21, 2013 at 1:00 p.m.**

**Ms. Connally reported that the Committee of the Whole will meet on Tuesday, August 27, 2013 at 3:00 p.m.**

22. MISCELLANEOUS BUSINESS

**Mr. Germana reported that the NAMI, National Alliance on Mental Illness, Walks event will be held on Saturday, September 7, 2013 beginning at Voinovich Park.**

**Mr. Greenspan reported that the 3<sup>rd</sup> Annual Public Safety Charity Softball Tournament will be held on August 23-25, 2013 at the City of North Olmsted Park.**

23. PUBLIC COMMENT UNRELATED TO AGENDA

**The following citizens addressed Council regarding issues of concern to them relating to the Cuyahoga County Public Library, its Board and Telling Mansion, which houses the South Euclid/Lyndhurst Branch: Ms. Fran Mentch, Ms. Tina Tricarichi and Mr. Sean Baran.**

24. ADJOURNMENT

**With no further business to discuss, the meeting was adjourned by Council President Connally at 6:53 p.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Motion No. M2013-0026

Sponsored by: <b>Council President Connally/Chief of Staff</b>	<b>A Motion</b> providing for the appointment of Christina Culek as Council Office Assistant to serve the Council of Cuyahoga County, and declaring the necessity that this Motion become immediately effective.
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WHEREAS, pursuant to Article III, Section 3.09(1) of the Charter of Cuyahoga County, the Council is granted the power to appoint and provide for the compensation and duties of the Clerk of Council and of such other assistants for the Council as a whole as the Council determines to be necessary for the efficient performance of its duties; and

WHEREAS, the Council of Cuyahoga County has determined that it is necessary to hire a qualified candidate into the position of Council Office Assistant; and,

WHEREAS, Christina Culek has been identified as a qualified candidate for the position based on her education, employment history and other qualifications; 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 that the functions of Council can continue, and to provide for the usual, daily operation of Council.

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

**SECTION 1.** Christina Culek is hereby appointed Council Office Assistant and shall be compensated at the annual salary of \$40,377.38 effective August 28, 2013. The Council Office Assistant shall be eligible to receive the same medical, leave and other benefits that are provided to full-time non-bargaining employees of the County Executive.

**SECTION 2.** It is necessary that this Motion become immediately effective in order that Charter requirements can be complied with and that the functions of Council can continue, and to provide for the usual, daily operation of Council. Provided that this Motion receives the affirmative vote of at least eight (8) members of Council, this Motion shall take effect and be in force immediately upon its adoption by the Council.

**SECTION 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Motion 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 Motion was duly approved.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC011  
August 27, 2013

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2013-0027

Sponsored by: Councilmembers Connally and Conwell

**A Motion confirming the County Executive's reappointment of Matthew A. Charboneau to serve on the Cuyahoga Arts and Culture Board of Trustees for the term ending 3/31/2016, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, pursuant to Ohio Revised Code Chapter 3381, a regional arts and cultural district was established in Cuyahoga County to provide programs and activities in areas directly concerned with the arts or cultural heritage; and,

WHEREAS, such regional arts and cultural district is governed by a Board of Trustees consisting of five (5) members which must have broad knowledge and experience in the arts or cultural heritage and shall have other qualifications outlined in by-laws; and,

WHEREAS, pursuant to Ohio Revised Code Section 3381.05, the Board of Trustees shall be appointed to a three (3) 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 Matthew A. Charboneau, BM, MNO to be re-appointed to serve on the Cuyahoga Arts and Culture Board of Trustees for a term commencing immediately, and expiring March 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 re-appointment of Matthew A. Charboneau, BM, MNO to serve on the Cuyahoga Arts and Culture Board of Trustees to fill a term commencing immediately and expiring March 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:

\_\_\_\_\_ Date

County Council President

\_\_\_\_\_ Date

Clerk of Council

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

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





**EDWARD FITZGERALD**  
Cuyahoga County Executive

August 16, 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 Arts and Culture Board of Trustees

Dear President Connally:

Pursuant to Ohio Revised Code Section 3381.05, I submit for Council's confirmation, the following nominee to serve on the Board of Trustees for the Cuyahoga Arts and Culture:

- **Matthew A. Charboneau, BM, MNO**

I have attached a brief synopsis of the Mr. Charboneau's background and qualifications for your review. As you can see, Mr. Charboneau is very involved in the local art community and manages a graphic design studio in Cleveland. His lifetime of involvement in the music field is detailed as well. Mr. Charboneau has served on the CAC's Board of Trustees since 2010 and his continued presence on this body is vital for the continuity of the excellent work being performed by this entity. Additionally, as we approach the renewal of the CAC's levy, it is imperative that the Board of Trustees be consistent and dedicated in efforts to promote the continued need for public engagement and support.

The CAC's board is composed of five members, all of whom serve without compensation. The board members serve three year terms.

I ask that these appointments be set for confirmation as soon as possible. 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

cc: Karen Gahl-Mills

**Matthew Alan Charboneau, BM, MNO**  
1350 Warren Road  
Lakewood, Ohio 44107  
(216) 526-3038  
mcharboneau@gmail.com

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## **CURRENT EMPLOYMENT**

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*Business Director, September 2012 to Present*  
*Agnes Studio, Cleveland, Ohio*

- Handling of all day-to-day business operations of a graphic design studio serving both the for profit and nonprofit sectors. Duties include HR management, payroll, accounts receivable and payable, bookkeeping, contract writing, project management, proposal writing and business development.

*Freelance Musician and Music Educator, 1994 to Present*

- Maintain a full-time schedule of public, private and corporate musical performances and recording sessions in the Northeast Ohio area.
- Taught private music instruction of double bass, electric bass, piano, guitar and music theory.
- Served as artist in residence/performing arts teacher at the Summer Festival of Arts, Bar Harbor, Maine in 2003 and 2004. Featured as performing artist, workshop clinician and adjudicator for the Tiffin University Jazz Festival in the spring of 2004.

*Business Manager, 2000 to Present*

*Up ensemble ltd., Viva Recording Co., and Charboneau Music, LLC, Cleveland and Lakewood, Ohio*

- Responsible for booking live music performances, contract writing and the publicity and promotion related to over 130 public and private performances annually.
- Managed the bookkeeping, cash receipts and disbursements related to the group's earned income, as well as the production, licensing, inventory and sales of recorded music.

## **EXPERIENCE**

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*Adjunct Instructor of Bass, September 2011 to Fall 2012*

*Case Western Reserve University Department of Music, Cleveland, Ohio*

*Special Guest Lecturer, Improvisation, Fall 2012 to Present*

*Cleveland Institute of Music, Cleveland, Ohio*

*COSE Arts Network Leader, August 2008 to September 2012*

*The Council of Smaller Enterprises (COSE), Cleveland, Ohio*

- Provided leadership to a sub-network of approximately 600 COSE members working professionally within the regional creative workforce and arts and culture sector.
- Designed, promoted and implemented professional development and artist entrepreneur workshops, seminars and roundtable discussions. Proven success in event planning and promotion: grew attendance in all events and programs from 330 in 2008 to over 640 in 2009.
- Programmed, marketed and facilitated special interest arts forums to both COSE members and the general public alike.
- Exceeded new membership goals, regularly met member retention goals.
- Worked closely with both COSE Marketing directors and vendors to strategically create marketing materials, targeted messaging and social media plans that speak persuasively to the creative workforce of NE Ohio.

- Worked to create COSE Arts Network budgets; stayed within budget on all programs, projects and initiatives.
- Worked closely with collaborators such as Community Partnership for Arts and Culture, Cuyahoga Arts and Culture and the Noteworthy Federal Credit Union to positively affect and advocate on behalf of the region's arts and culture community.

*Associate Director, September 2006 to August 2008*

*Roots of American Music (ROAM), Cleveland Heights, Ohio*

- Managed ROAM's educational outreach programs for public and private school systems. Served as liaison to school administrators, educators and other cultural organizations throughout Northeast Ohio.
- Worked closely with administrators and teachers in the Cleveland Metropolitan School District to develop, plan and implement long-term arts residencies for K-12 students.
- Managed the budget, banking, accounts payable, artist payroll and grant disbursements of a 501(c)(3) nonprofit arts organization.
- Created grant proposals and solicitations. Created, edited and organized grant reports to foundation and government supporters.
- Collected, managed and reported qualitative and quantitative data and assessment regarding programming.
- Served as booking agent, contract writer and artist manager/human resources manager for all of the organization's year-round public performances and concert series featuring over 30 freelance artists.
- Maintained a donor database and helped coordinate donor relations and development activities.

*Assistant Program Director, May 2005 to December 2006*

*The Lakewood Public Library, Lakewood, Ohio*

- Established new community partnerships, raised funds and secured business sponsorships for the Library's performing arts series; co-programmed, managed and provided technical support for the film and music series.
- Assisted in the creation and editing of the Library's seasonal Program Mailer.
- Wrote, coordinated and dispersed press releases, marketing materials, newspaper articles and promotional materials for all of the Library's year-round performing arts and lecture programs. Created and maintained databases related to all marketing and publicity activities.
- Created, promoted and taught original seminars and workshops.
- Assisted in live performing arts A/V production and support.

*Student Facilitator, September 2005 to April 2006 (University Practicum)*

*Roots of American Music, Cleveland Heights, Ohio*

- Worked with a team to research environmental trends and undertake a perceptual analysis. Facilitated meetings with a planning committee to identify the goals and strategies for the organization's six-year Strategic Plan. Co-wrote and presented the Strategic Plan to the Board of Directors.

*Intern, September 2002 to June 2005*

*The Cleveland Museum of Art, Cleveland, Ohio*

- *Curatorial Intern, fall 2004 and spring 2005*
  - Assisted and studied under Paul Cox, Assistant Curator, Department of Musical Arts, in the areas of budgeting, programming, artist relations, volunteer coordination and arts management.
  - Completed and delivered music history and musicological research to Mr. Cox for use in concert program notes, lectures and keynote speeches.
- *Department of Musical Arts Intern, fall 2002 to spring 2003*

- Completed data entry, archiving and preservation, image scanning and PowerPoint presentations.
- Technical support and production assistance, artist handling, customer relations and music sales at live performances.

***Music Therapy Student Intern, 2001***

*Kendall at Oberlin, Oberlin, Ohio and Baldwin Wallace College, Berea, Ohio*

- Internship and career shadowing in music therapy clinical practice and administration.
- Created and delivered clinical musical therapy sessions for geriatric, elementary school, mentally retarded/developmentally disabled and Alzheimer populations.

**EDUCATION**

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**Case Western Reserve University** Cleveland, Ohio

**The Mandel Center for Nonprofit Organizations/Weatherhead School of Management**

Master of Nonprofit Organizations awarded May 2006  
3.82 GPA

**Oberlin College Conservatory of Music** Oberlin, Ohio

Bachelor of Music awarded May 2002

3.49 GPA

Conservatory Dean's Talent Scholarship, September 1997 – May 2002

**Baldwin Wallace College Conservatory of Music** Berea, Ohio

**The Consortium for Music Therapy**

Music Therapy and Pre-clinical coursework, spring 2001 and fall 2001

**CURRENT AFFILIATIONS and COMMUNITY SERVICE**

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*Member, Board of Trustees, April 2010 to present*

*Cuyahoga Arts and Culture, Cleveland, Ohio*

*Member, Board of Trustees, October 2009 to September 2012*

*Noteworthy Federal Credit Union, Cleveland, Ohio*

*Panelist, Summer 2009 and Summer 2010*

*Lake County Visitors Bureau Arts and Culture Fund Adjudication Panel*

*Volunteer - Music Teacher, Spring and Summer 2010*

*Joyful Noise Music School, Cleveland, Ohio*

**PROFESSIONAL DEVELOPMENT**

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**March 2008**—*Combining Practice and Theory to Improve Nonprofit Accountability and Governance*, Presented by the Executive Doctor in Management Program, Weatherhead School of Management and the Mandel Center for Nonprofit Organizations, Case Western Reserve University.

**Winter 2010**—*Creative Communities Convening*

National convening in San Francisco of arts-based serviced organizations, community development groups and national funding agencies, hosted by Leveraging Investments in Creativity (LINC)

**SKILLS**

- Computer skills: Word, Excel, Access, PowerPoint, Outlook, Works, QuickBooks, Quicken, Photoshop, SPSS statistical software, ScanWizard, HP Scan, Adobe Premiere, Apple iLife

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

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**From:** <donotreply@cuyahogacounty.us>  
**To:** <Jboyle@cuyahogacounty.us>  
**Date:** 3/10/2013 10:56 PM  
**Subject:** Boards and Commissions Form - Office of Boards and Commissions

---

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

Last Name : Charboneau

First Name : Matthew

City : Lakewood

State : Ohio

Zip : 44107

Phone Number : 216-526-3038

Email Address : mcharboneau@gmail.com

Please select the boards/commissions/councils you would like to be considered for. : Cuyahoga Arts & Culture (CAC) -

Why are you interested in serving on this board/commission/council? : I have served the County and Cuyahoga Arts and Culture for the past three years as a member of CAC's Board of Trustees. I am seeking reappointment to my term ending March 31, 2013. I am proud of the role that CAC funds play in keeping Cuyahoga County's arts infrastructure healthy. I feel that with my extensive experience in the NE Ohio arts nonprofit sector, as well as being a professional musician for two decades, I bring a needed voice and perspective to the CAC Board of Trustees.

What qualities do you possess that would make you a good candidate to serve on this board/commission/council? : Cuyahoga Arts and Culture is specifically required to have at least two arts and culture professionals on its Board. I currently fill one of those two positions. I am a professional musicians and music educator with 20 years of experience playing, touring, recording, leading masterclasses and teaching throughout North America. I have a strong background in Cuyahoga's art and culture community both as a practicing artist and as an arts nonprofit professional and leader.

What professional experience do you have that would make you a good candidate to serve on this board/commission/council? : I have worked in the arts nonprofit sector for the better part of the last decade, primarily as a program manager and Associate Director with medium music-based arts educational outreach organizations. I also lead the COSE Arts Network from 2008 to 2012, where I represented nearly 600 arts-based businesses and served as their liasion to COSE and the greater

business community. I have also been a full or part time professional musician for the past 20 years, having toured, performed, recorded, taught and consulted throughout the NE Ohio area and nationally as well.

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: : No

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2013-0028

Sponsored by: Councilmembers Connally and Conwell

**A Motion confirming the County Executive's appointment of Matt Carroll to serve on the Group Plan Commission for the term ending 4/8/2017, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, the Group Plan Commission is a non-profit corporation formed with the purpose to transform the Mall area of downtown Cleveland; and,

WHEREAS, the Group Plan Commission is comprised of eleven (11) members. Four (4) members are appointed by Cuyahoga County, four (4) are appointed by the City of Cleveland, one (1) is appointed by the Greater Cleveland Partnership, one (1) is appointed by MMPI (or its successor organization), and one (1) is appointed by the Richard E. Jacobs Group, Inc.; and,

WHEREAS, members of the Group Plan Commission shall be appointed to serve a four (4) 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 Matt Carroll to be appointed to serve on the Group Plan Commission, to fill a vacancy for an unexpired term commencing immediately, and expiring April 8, 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 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 Matt Carroll to serve on the Group Plan Commission, to fill a vacancy for an unexpired term commencing immediately, and expiring April 8, 2017.

**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

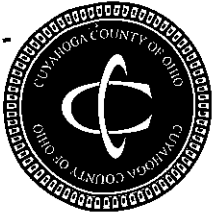
\_\_\_\_\_  
Clerk of Council                                      Date

First Reading/Referred to Committee:

Committee(s) Assigned:

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





**EDWARD FITZGERALD**  
Cuyahoga County Executive

August 16, 2013

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

Re: Group Plan Commission

Dear President Connally:

The Group Plan Commission is a non-profit corporation formed to transform the Mall area of downtown Cleveland. Its goal is to physically transform our Public Square and surrounding areas to maximize civic use and accessibility. Recently, Jeffrey R. Appelbaum submitted his resignation from this Commission. I submit the following individual to fill this position:

- **Chief of Staff Matt Carroll**

Mr. Carroll is well versed in the pending matters that impact the downtown area. He has been intricately involved in the County's property re-organization and consolidation. He has served as the point person for the administration on the MedMart project and also serves on the Gateway Economic Development Corporation's Board of Trustees. His background and knowledge are ideally suited for this position.

While the concepts incorporated into the Group Plan Commission have been in existence for decades, the formation of this non-profit corporation occurred in 2012 and will help coordinate efforts among the public, private and non-profit sectors. Innovative concepts of design, architecture, and sustainability will be utilized in the planning of this beautiful public space.

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

**From:** Matt Carroll  
**To:** James Boyle <jboyle@cuyahogacounty.us>  
**Date:** 8/11/2013 5:59 AM  
**Subject:** Fw: Fwd: Group Plan Commission  
**Attachments:** image003.jpg

Here it is.

>>> "Appelbaum, Jeffrey" <Jeff.Appelbaum@thompsonhine.com> 8/10/2013 6:05:24 PM >>>  
As requested. Jeff

Sent from my iPad

Begin forwarded message:

From: "Appelbaum, Jeffrey"  
<Jeff.Appelbaum@thompsonhine.com<mailto:Jeff.Appelbaum@thompsonhine.com>>  
Date: July 25, 2013 11:54:10 AM EDT  
To: Anthony Coyne <ACoyne@mggmlpa.com<mailto:ACoyne@mggmlpa.com>>  
Subject: Group Plan Commission

Tony: Confirming our telephone conversation, I have decided to resign as a member of the Board of the Group Plan Commission. I will, however, be available to continue to advise the Commission and participate in Commission activities to the extent the Commission believes my participation will be helpful. I will attend this afternoon's meeting.

Jeff

Jeffrey R. Appelbaum | Partner, Chairman of Construction Law Group | Thompson Hine LLP  
3900 Key Center, 127 Public Square | Cleveland, OH 44114-1291  
Office: 216.566.5548 | Mobile: 216.470.3330  
Fax: 216.566.5800 | Email:  
Jeff.Appelbaum@ThompsonHine.com<mailto:Jeff.Appelbaum@ThompsonHine.com>  
Web: <http://www.ThompsonHine.com><<http://www.thompsonhine.com/>>

Listed in numerous first-tier practice rankings, including being rated for 10 consecutive years as a leading law firm in Chambers USA: America's Leading Lawyers for Business; named a Go-To Law Firm for the World's Leading Companies by American Lawyer Media; and recognized as a top law firm by U.S. News & World Report/Best Lawyers and The Legal 500 United States.

Atlanta | Cincinnati | Cleveland | Columbus | Dayton | New York | Washington, D.C.

[cid:image003.jpg@01CE892D.ACA2D810]

# COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

## MOTION NO. M2013-0029

Sponsored by: Councilmembers Connally and Conwell

**A Motion confirming the County Executive’s appointment of various individuals to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term ending 1/31/2017, and declaring the necessity that this Motion become immediately effective.**

WHEREAS, Ohio Revised Code Section 173.011 provides for the designation of a private nonprofit entity as an “area agency on aging” to administer programs granted under the Older Americans Act of 1965; and,

WHEREAS, the Western Reserve Area Agency on Aging (“WRAAA”) is a private non-profit corporation organized and designated by the State of Ohio to be the planning, coordinating, administrative agency for federal and state aging programs in Cuyahoga, Geauga, Lake, Lorain, and Medina Counties and is one of twelve (12) Area Agencies on Aging that the State organized together with local service provider organizations and the Ohio Department of Aging to form the State’s public aging network; and,

WHEREAS, the Western Reserve Area on Aging Board of Trustees is composed of twenty one (21) members who serve three (3) year 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 be appointed to serve on the Western Reserve Area on Aging Board of Trustees:

- a) Carol Dayton, ACSW, LISW-S, to fill a vacancy for a term commencing immediately and expiring January 31, 2017;
- b) BJ Brown, to fill a vacancy for a term commencing immediately, and expiring January 31, 2017;

- c) Constance Hill-Johnson, to fill a vacancy for a term commencing immediately, and expiring January 31, 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 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 Western Reserve Area on Aging Board of Trustees:

- a) Carol Dayton, ACSW, LISW-S, to fill a vacancy for a term commencing immediately and expiring January 31, 2017;
- b) BJ Brown, to fill a vacancy for a term commencing immediately, and expiring January 31, 2017; and,
- c) Constance Hill-Johnson, to fill a vacancy for a term commencing immediately, and expiring January 31, 2017.

**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:  
Committee(s) Assigned:

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



**EDWARD FITZGERALD**  
Cuyahoga County Executive

August 19, 2013

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

Re: Western Reserve Area on Aging Board of Trustees

Dear President Connally:

As you know, the Western Reserve Area Agency on Aging (WRAAA) is a private non-profit entity organized and designated by the State of Ohio to serve as the planning, coordinating and administrative agency for federal and state aging programs in Northeast Ohio. WRAAA is authorized to perform these tasks pursuant to Ohio Revised Code Section 173.011 and the Older Americans Act of 1965. To serve on this important Board, I submit the following nominees:

- **Carol Dayton, ACSW, LISW-S**
- **BJ Brown**
- **Constance Hill-Johnson**

The WRAAA Board of Trustees is composed of nineteen members. Each member serves without compensation and the members serve three-year terms.

I have attached biographical information and supporting documentation regarding each of these nominees. As you can see, all three of these individuals bring a wealth of knowledge and experience to this body and the important work they are performing.

If you have any questions or comments, please feel free to contact my Special Assistant, James P. Boyle, at 216-698-2089. I thank you for your assistance in this matter.

Sincerely,

Edward FitzGerald  
Cuyahoga County Executive

**CAROL DAYTON, ACSW, LISW**

**Consultant and Educator in the Field of Aging**

**10423 Lake Avenue  
Cleveland, Ohio 44102-1205  
216-961-1696  
216-570-0989 (cell)  
cd10423@aol.com**

Carol Dayton's career has focused on services to older adults and those at risk of harm with the goals of improving service delivery systems, creating innovative collaborations that are sustained over time, and demonstrating a belief that the older and vulnerable adult has dignity and value that can be supported and enhanced. Carol is a presenter in the field of aging and elder abuse in the Cleveland area, throughout Ohio and at national conferences. She retired from the Cuyahoga County Department of Senior and Adult Services in May 2005, after serving as Chief of Adult Protective Services since 1993. Her commitment to protecting vulnerable adults continues through her ongoing participation and leadership on national, statewide and local commissions, committees, coalitions and roundtables.

Ms. Dayton was elected to the office of Chairperson for the Ohio Coalition for Adult Protective Services, serving a term from July 1, 2008-June 20-2010. She was appointed Chairperson of the joint Research Committee for the National Adult Protective Services Association and National Committee for the Prevention of Elder Abuse, which is an ongoing commitment. The Research Committee is responsible for quarterly Research to Practice Webinars, Research to Practice Briefs, as well as other activities.

Ms. Dayton is a Phi Beta Kappa graduate of the University of Illinois and received her Master in Social Work degree from the State University of New York at Buffalo. Carol's work in the field of aging began with a joint appointment as a caseworker and researcher at the Benjamin Rose Institute. Prior to her work as Chief of Adult Protective Services, she was director of a three-city office on aging.

Ms. Dayton's work has been published in several journals and she wrote the chapter on social work in *The Clinical Management of Elder Abuse*. Her contributions as a writer and educator continue. Ms. Dayton is a Licensed Independent Social Worker, member of the National Association of Social Workers and the Academy of Certified Social Workers. She has been the recipient of awards in recognition of her leadership and contributions to the field of aging.

SUN NEWS

April 26, 2012

# Most elder abuse cases not reported

## Cleveland social worker working to help senior citizens avoid being victimized

By Faith Boone  
fboone@sunnews.com

A licensed social worker wants the public to know the facts about elder abuse.

"There's a lot of freedom and gain to growing older," said Carol Dayton, of Cleveland.

However, as she recently told members of the Cleveland Mensa chapter during their meeting at Corky and Lenny's in Woodmere, there are also numerous risks, such as the risk of being dependent upon others for care.

Dayton said only one in every 24 cases of elder abuse is reported. She said this can come from the seniors not getting out or being seen, and abuse can be caused by isolation or withholding care.

"It was an empowerment talk for those in the audience



Carol Dayton

and those with family members or friends who are older," Dayton said. "It's partly about the gain of growing older. People have the free-

dom to speak their minds, choose what to do and say things you always wanted to say, but haven't."

Dayton's career has been all about the field of aging. Before she retired, she was a part of the Cuyahoga County Department of Senior and Adult Services. As chief, she led elder abuse investigations from 1993-2005. Since, she has done some consulting and

See ABUSE, A7



# ABUSE

From A1

training on the local, state and national level.

At the Cleveland Mensa meeting, Dayton gave tips to help prevent seniors from becoming victims of elder abuse in her presentation, "Being Smart and Safe in the Land of Old."

Dayton said there is a risk of a senior being harmed by the people caring for him or her and, she said, the most frequent perpetrators of elder abuse are family members.

Physical harm, such as late-in-life domestic violence, can be caused by a partner or family member residing with the elder. Dayton said state law enforces criminal charges against those who show domestic violence or elder abuse toward an impaired senior over the age of 60. There's also the risk of emotional abuse and sexual abuse.

Other risks from caregivers that seniors should keep in mind include neglect by intent, to hasten death to receive an inheritance, financial exploitation, as well as the effects of exhaustion resulting from the caregiver's inability to conduct a sophisticated level of care.

## Seniors can find help

The risks not only come from caregivers, but also in the way seniors treat them-

selves. Self-neglect can occur when an older person decides to become isolated.

Dayton suggests seniors try having two levels of conversation: with their caregivers and with themselves. Seniors should have the conversation with themselves acknowledging they could be at risk. Also, they should think through who will give them the care they need and how they will protect their assets from being compromised or harmed.

She said seniors should get people to give them feedback if they are at a point where they can no longer care for themselves.

"In your well years, recognize, if you live long enough, you are very likely to become dependent on someone. The younger person could initiate it by saying, 'I'm wondering what you want, mom,'" she said.

## Additional risks

A real red flag is having the caregiver be the one person in the family who has never been financially independent and is frequently out of work or relationships.

"Being a caregiver is a heroic act and has financial needs that can be difficult," Dayton said. "If there is that kind of person available (financially unstable), it may not

be the right person for the task."

Dayton suggests seniors have friends across an age range, simply to have someone to trust, and someone they won't likely outlive so they won't be alone.

"Isolation is one of the greatest risks of vulnerability," she said. "It can be physical isolation, where you don't get out anymore and you deteriorate alone, with no one to call upon. Other risks are if you are recently widowed, you may be very vulnerable as someone to court — be very self-aware that this could happen. If it's for the purpose of getting access to your funds, it could be bad."

Dayton also explained family members should not promise to always care for their loved one and say he or she will not go into a nursing home. The family member may need to break that promise, prompting Dayton to suggest saying instead, "you will always receive excellent care and I will see to it."

Those concerned for a senior over the age of 60 who may be in a situation of elder abuse can contact the Cuyahoga County Department of Senior and Adult Services. Call the Adult Protective Services intake line at (216) 420-6700.

See more news at [cleveland.com/community](http://cleveland.com/community).



COMMISSIONERS  
Jimmy Dimora  
Timothy F. Hagan  
Peter Lawson Jones

**WESTERN RESERVE AREA AGENCY ON AGING BOARD OF TRUSTEES  
NOMINEE PROFILE**

DATE: 4 December 2008

NAME: BJ Brown

HOME ADDRESS: 2873 Brainard Road

CITY, ZIP CODE: Pepper Pike, OH 44124-4660

BUSINESS ADDRESS: 1468 West 25<sup>th</sup> Street

CITY, ZIP CODE: Cleveland, OH 44113

TELEPHONE: (H) 216-464-0293

(W) 216-621-8322

EMAIL: [bbrown@sach25.org](mailto:bbrown@sach25.org)

FAX: 216-658-4738

**PREFERRED METHOD OF CONTACT:**

Home mail  
 Business mail

Fax  
 Email

**The Commissioners seek the membership to be balanced in geography, gender, age, race and ethnicity, and public/private/professional/volunteer distribution. Please provide answers to the following questions for demographic purposes only. However, all answers are optional.**

Age: 55+  under 55

Race/Ethnicity: Black Gender: Female

**Area of Residence:**

City of Cleveland – East  Suburb – East  
 City of Cleveland – South  Suburb – South  
 City of Cleveland – West  Suburb – West

Department of Senior & Adult Services  
1701 East 12<sup>th</sup> Street, Cleveland, Ohio 44114, (216) 420-6750, FAX (216) 698-6600  
Ohio Relay Service (TTY) 711

**Page 2 – Nominee Profile**

Name: BJ Brown

Areas of Interest, Participation, or Expertise: (Check all that apply)

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Long-Term Care            | <input checked="" type="checkbox"/> Housing            |
| <input type="checkbox"/> In-Home Services                     | <input type="checkbox"/> Senior Employment             |
| <input checked="" type="checkbox"/> Adult Protective Services | <input type="checkbox"/> Advocacy/Community Outreach   |
| <input type="checkbox"/> Senior/Nutrition Center              | <input checked="" type="checkbox"/> Adult Day Services |
| <input checked="" type="checkbox"/> Mental Health             | <input type="checkbox"/> Other                         |
| <input type="checkbox"/> Respite Care                         |  |

Please provide a brief description of your professional or volunteer experience in the areas check above: I have worked in long term care for almost three decades; in nursing homes, senior service agencies and as the director of Services to Adult Care Homes for the past nine years. The ultimate client in our program is the adult who may have mental health issues or needed intervention by APS. We provide support and training to caregivers across the spectrum of long term care in accordance with mandated guidelines.

If you, either as an individual or as your agency or employment, have any contracts with Cuyahoga County, please list those contracts and the Cuyahoga County Department administering those contracts: We currently have a contract with the Cuyahoga County Department of Senior and Adult Services in the amount of \$15,675.00 (CE0800149-01)

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**PLEASE RETURN ALL FORMS AND CURRENT RESUME TO:**

**Lynn A. Wieland, Administrator**  
**Community Office on Aging**  
**Cuyahoga County Department of Senior and Adult Services**  
**Reserve Square, Lower Level**  
**1701 East 12 Street**  
**Cleveland, Ohio 44114**  
**Fax Number: (216) 698-6600**  
**Email: wielal@odjfs.state.oh.us**

## **PROFESSIONAL BIOGRAPHY CONSTANCE HILL-JOHNSON**

Constance Hill-Johnson brings over 10-years of senior health care management experience in a variety of health care settings. She has extensive experience producing positive results in marketing and operations efficiency; customer service and relations; along with program training and development. She is regarded as a dynamic motivational leader and developer of innovative approaches directly resulting in significant increases in organizational performance and profitability.

Ms. Hill-Johnson has a proven track record of successfully identifying and evaluating opportunities for growth and profitability. Ms Hill-Johnson's expertise spans a wide array of organizational settings including acute care hospitals, physician's medical practices, and professional management services companies. Ms. Hill-Johnson has also spent 5 years as an institutional sales broker on an equity sales and trading desk for Merrill Lynch Capital Markets in Detroit, Michigan.

Ms. Hill-Johnson has earned the degree of Master of Public Administration with an emphasis in Health Services Administration from the University of Southern California in Los Angeles, California. Additionally, she holds a degree of Bachelor of Arts in Speech Communications from Case Western Reserve University in Cleveland, Ohio.

Currently, Ms. Hill-Johnson is the Owner and Managing Director of Visiting Angels Living Assistance Services ([www.visitingangels.com/cleveland](http://www.visitingangels.com/cleveland)) in Cleveland, Ohio, a network of franchised agencies throughout the United States and Canada. She was nominated and selected as one of the 2007 Top 10 Women Business Owners in northeast Ohio. In January 2005 she was appointed by the Cuyahoga County Board of Commissioners to the Western Reserve Area Agency on Aging (WRAAA) Board of Trustees. She also serves on the Board of Adult Guardianship Services, the United Way's Senior Success Vision Council, the Key4Women National Advisory Board and is an Associate Board Member of Recovery Resources.

Visiting Angels focuses on providing non-medical home care to seniors, allowing them the opportunity to remain in their home for as long as possible.



COMMISSIONERS  
 Jimmy Dimora  
 Timothy F. Hagan  
 Peter Lawson Jones

**WESTERN RESERVE AREA AGENCY ON AGING BOARD OF TRUSTEES  
NOMINEE PROFILE**

DATE: 3/7/08

NAME: Constance Hill- Johnson

HOME ADDRESS: 13 Wenden Court

CITY, ZIP CODE: Cleveland, Ohio 44108

BUSINESS ADDRESS: 12200 Fairhill Road, Suite B203

CITY, ZIP CODE: Cleveland, Ohio 44120

TELEPHONE: (H) 216-469-8824  
 (W) 216-231-6400

EMAIL: crhill@visitingangels.com  
 FAX: 216-231-6341

**PREFERRED METHOD OF CONTACT:**

<input type="checkbox"/> Home mail	<input type="checkbox"/> Fax
<input checked="" type="checkbox"/> Business mail	<input type="checkbox"/> Email

**The Commissioners seek the membership to be balanced in geography, gender, age, race and ethnicity, and public/private/professional/volunteer distribution. Please provide answers to the following questions for demographic purposes only. However, all answers are optional.**

Age: 55+  under 55

Race/Ethnicity: African - American Gender: Female

**Area of Residence:**

<input checked="" type="checkbox"/> City of Cleveland – East	<input type="checkbox"/> Suburb – East
<input type="checkbox"/> City of Cleveland – South	<input type="checkbox"/> Suburb – South
<input type="checkbox"/> City of Cleveland – West	<input type="checkbox"/> Suburb – West

Department of Senior & Adult Services  
 1701 East 12<sup>th</sup> Street, Cleveland, Ohio 44114, (216) 420-6750, FAX (216) 698-6600  
 Ohio Relay Service (TTY) 711

**Page 2 – Nominee Profile**

Name: Constance Hill-Johnson

Areas of Interest, Participation, or Expertise: (Check all that apply)

<input type="checkbox"/> Long-Term Care	<input type="checkbox"/> Housing
<input checked="" type="checkbox"/> In-Home Services	<input type="checkbox"/> Senior Employment
<input type="checkbox"/> Adult Protective Services	<input type="checkbox"/> Advocacy/Community Outreach
<input type="checkbox"/> Senior/Nutrition Center	<input type="checkbox"/> Adult Day Services
<input type="checkbox"/> Mental Health	<input type="checkbox"/> Other
<input checked="" type="checkbox"/> Respite Care	

Please provide a brief description of your professional or volunteer experience in the areas check above: I am the owner and president of Visiting Angels Senior Homecare at the Fairhill Center. This company is an in-home service provider assisting the elderly and older adult to live as independently as possible by remaining safely in their own familiar home environment.

If you, either as an individual or as your agency or employment, have any contracts with Cuyahoga County, please list those contracts and the Cuyahoga County Department administering those contracts:

NONE

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**PLEASE RETURN ALL FORMS AND CURRENT RESUME TO:**

**Lynn A. Wieland, Administrator  
Community Office on Aging  
Cuyahoga County Department of Senior and Adult Services  
Reserve Square, Lower Level  
1701 East 12 Street  
Cleveland, Ohio 44114  
**Fax Number: (216) 698-6600**  
**Email: [wielal@odjfs.state.oh.us](mailto:wielal@odjfs.state.oh.us)****

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0184

Sponsored by: <b>Council President Connally</b>	<b>A Resolution</b> approving an Agreement governing the duties, powers and responsibilities of the Prosecutor’s Office and the Department of Law and authorizing the Council President to execute the Agreement on behalf of County Council; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 4.01 of the Charter of Cuyahoga County established the Prosecuting Attorney as an elected office, designating that the duties of that office “shall continue to be determined in the manner provided by general law; and

WHEREAS, Section 5.06 of the Charter of Cuyahoga County established the appointed position of Director of Law, authorizing the Director of Law to be “the legal advisor to and representative of the County Executive and County Council;” and

WHEREAS, conflicting interpretations of the Charter language have led to confusion over the respective authority of the Prosecuting Attorney and the Director of Law, which these Charter officers have attempted to reconcile as issues arose; and

WHEREAS, this Council’s Committee of the Whole has recommended that Council approve a Charter amendment for the November 2013 ballot that would resolve the ambiguities in language concerning the respective authority of the Prosecuting Attorney and the Director of Law; and

WHEREAS, representatives of the Prosecuting Attorney, the Executive, the Director of Law, and this Council have been meeting in good faith attempts to arrive at a resolution of these issues without resort to a Charter amendment; and

WHEREAS, the County Executive, the Director of Law and the Prosecuting Attorney have executed an agreement (“the Agreement”) governing the duties, powers, and responsibilities of the Prosecutors’ Office and the Department of Law; and

WHEREAS, this Council is an indispensable party to the Agreement, and desires to approve the Agreement and to authorize the Council President to execute the Agreement on behalf of the County Council; 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 efficient and effective operation of the County Criminal Justice System.

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

**SECTION 1.** That the Council hereby approves the Agreement governing the duties, powers, and responsibilities of the Prosecutor’s Office and the Department of Law.

**SECTION 2:** That the Council President is authorized to execute the Agreement on behalf of County Council.

**SECTION 3:** 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 (8) members of Council, it shall take effect immediately upon adoption.

**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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date



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

\_\_\_\_\_  
Date

Journal CC011  
August 27, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0185

Sponsored by: <b>Councilmembers Connally and Gallagher</b>	<b>A Resolution</b> providing for an initial Cuyahoga County Criminal Justice Services review, to ensure coordination of county efforts to provide a fair, transparent, and accountable system of justice; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has engaged in various efforts over the years in which multiple public systems and stakeholders have worked to collaborate and better coordinate so as to ensure that the Cuyahoga County criminal justice system is providing a fair, transparent, and accountable system of criminal justice, one that promotes the safety of Cuyahoga County citizens as well as protects the constitutional rights of those accused of crimes; and

WHEREAS, concerns have arisen about the efficacy of the justice system reform efforts, such that the 2012-2013 Charter Review Commission recommended a Cuyahoga County Charter amendment calling for a comprehensive “justice system audit” conducted by an external reviewer every five years; and,

WHEREAS, Council is concerned about the wisdom of recommending that such a comprehensive audit be enshrined in the Charter, because of, among other things, the lack of a definition of “justice system,” the potential costs of such an audit, and the constitutionality of some aspects of the proposed charter amendment; and

WHEREAS, Council affirms the validity of some of the questions raised about the efficacy of the justice system reform efforts, and desires to ensure that those responsible for providing a fair, transparent, and accountable criminal justice system in Cuyahoga County are doing so in a spirit of good faith and good government; and

WHEREAS, Council recognizes that the Cuyahoga County Common Pleas Court, General Division, Criminal Docket and the Cuyahoga County Juvenile Court (“the Courts”) are indispensable partners in the administration of criminal justice in Cuyahoga County and are directly responsible to the Ohio Supreme Court for carrying out their constitutional duties, including providing multiple reports and statistics pertaining to their duties; and

WHEREAS, Cuyahoga County desires to promote continued justice system reform efforts, utilizing existing reports and analyses, including the Court's reports, and seeking other information from the courts and from other justice system partners in the context of the promotion a fair, transparent, and accountable system of criminal justice in Cuyahoga County, and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the efficient and effective operation of the County Criminal Justice System.

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

**SECTION 1.** That the Department of Public Safety and Justice Affairs, the Sheriff's Department, the Office of the Clerk of Courts and the Office of the Prosecutor are hereby directed to work with the Department of Internal Auditing to develop a plan to review the Cuyahoga County "criminal justice system," such plan to be completed and reported out to Council within six months of the enactment of this Resolution.

**SECTION 2:** That the plan shall include, but not be limited to:

- a. Identification of all of the partners directly involved with the administration of criminal justice in Cuyahoga County;
- b. Determination of what information may be necessary to conduct a comprehensive review of the criminal justice system.
- c. Recommendations about whether the Department of Internal Audit has the capacity to conduct such a review; or whether the review should be completed by an outside reviewer.
- d. Preliminary estimates of the cost of such a review.
- e. Any other recommendations deemed necessary for Council's determination to proceed with the review.

**SECTION 3:** That the departments and offices charged with developing the plan to review the Cuyahoga County criminal justice system shall consult with existing bodies in Cuyahoga County, including the Courts and the "Justice System Reform Governing Board," and shall utilize existing data, statistics, and reports prepared by the partners involved with the administration of the criminal justice in Cuyahoga County to determine what additional information may be necessary to conduct the review.

**SECTION 4:** That the departments and offices charged with developing the plan and any other County office, department or agency created by or specifically recognized in the Charter of Cuyahoga County and directly involved with the

administration of criminal justice in Cuyahoga County are hereby directed to cooperate in the planning for such a review of the criminal justice system.

**SECTION 5.** 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 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion 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. R2013-0136

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</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 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.</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 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

Legislation Deferred to 8/27/2013 for Third Reading: August 13, 2013

Additional Sponsorship Requested on the Floor: August 13, 2013

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



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0137

<p>Sponsored by: <b>Council President Connally on behalf of Charter Review Commission</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 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.</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 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

Legislation Deferred to 8/27/2013 for Third Reading: August 13, 2013

Additional Sponsorship Requested on the Floor: August 13, 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

Legislation Deferred to 8/27/2013 for Third Reading: August 13, 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

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

Legislation Deferred to 8/27/2013 for Third Reading: August 13, 2013

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

# 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

Legislation Deferred to 8/27/2013 for Third Reading: August 13, 2013

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0144

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 3.07 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.
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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

Legislation Deferred to 8/27/2013 for Third Reading: August 13, 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

Legislation Deferred to 8/27/2013 for Third Reading: August 13, 2013

Journal \_\_\_\_\_  
\_\_\_\_\_, 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** ~~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-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 members of the Personnel Review Commission serving as of the effective date of this provision may serve until their existing term expires and may be subject to reappointment 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~~ **Personnel Review Commission** ~~Human Resource Commission~~ 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 in accordance with the human resources policies established by ordinance;**

(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 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

Committee Report/Second Reading: August 13, 2013

Legislation Substituted on the Floor: August 13, 2013

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

Committee Report/Second Reading: August 13, 2013

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0160

Sponsored by: <b>Councilmembers Simon, Miller, Jones, and Germana</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. The County Council may employ outside counsel in the event of a conflict of interest between the County Executive and the Council, or when needed to provide proper legislative oversight. The retention of outside counsel shall be carried out in accordance with the County's contracting and approval procedures as established by ordinance under this Charter.**

**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

Committee Report/Second Reading: August 13, 2013

Legislation Substituted on the Floor: August 13, 2013

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

Committee Report/Second Reading: August 13, 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.

**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

Committee Report/Second Reading: August 13, 2013

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

# 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

Committee Report/Second Reading: August 13, 2013

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



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0186

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> 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.
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WHEREAS, on December 11, 2012, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program Update for 2013 (Resolution No. R2012-0232) establishing the 2013 biennial budget update for all County departments, offices and agencies; and

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

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

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

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

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. 20A303 –Children Services Fund CF134049 – Purchased Congregate & Foster Care Other Expenses \$ (700,000.00)	<b>BA1301340</b>

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

B. 24A301 –Children and Family Services **BA1301341**  
 CF135467 – Administrative Services - CFS  
 Other Expenses \$ 700,000.00

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

C. 20A303 –Children Services Fund **BA1301435**  
 CF134049 – Purchased Congregate & Foster Care  
 Other Expenses \$ (1,008,000.00)

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

D. 24A301 –Children and Family Services **BA1301436**  
 CF135509 – Direct Services  
 Personal Services \$ 1,008,000.00

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

E. 24A435 –Cuyahoga Tapestry System of Care **BA1301439**  
 CF135004 – DCFS - Cuy Tapestry System of Care  
 Personal Services \$ (60,000.00)

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

F. 24A301 –Children and Family Services **BA1301440**  
 CF135491 – Information Services  
 Personal Services \$ 60,000.00

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

G. 21A926 – CBCF Operating Account **BA1301457**  
 CC742361 – FY 13 CBCF Operating Grant  
 Other Expenses \$ 4,287,000.00

Funding Source: The Ohio Department of Rehabilitation and Correction grant commences from July 1, 2013 to June 30, 2014. The award was approved by the Facility Governing Board on May 30, 2013.

H1. 21A429 – Youth Services Subsidy **BA1301453**  
 Felony Delinquent Care and Custody Fund (FCCC) 2014/15  
 JC754291 – Program Admin. – FY14 & 15-000  
 Personal Services \$ 462,890.72  
 Other Expenses \$ 5,550.00  
 Capital Outlay \$ 85,000.00

H2.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754309 – Probation-FY14 & 15 -101	
	Personal Services	\$ 451,065.28
	Other Expenses	\$ 8,325.00
H3.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754317 – Fam Base HB-FY14 & 15 -110	
	Other Expenses	\$ 38,444.00
H4.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754325 – Mental Health – FY14 & 15 -111	
	Personal Services	\$ 680,588.07
	Other Expenses	\$ 16,650.00
H5.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754341 – Youth IG-FY14 & 15 -115	
	Other Expenses	\$ 78,750.00
H6.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754382 – Sex Offender Treatment FY14 & 15 -106	
	Other Expenses	\$ 162,500.00
H7.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754390 – Substance Abuse Treatment FY14 & 15 -107	
	Other Expenses	\$ 135,000.00
H8.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754408 – Clinical Assessment FY14 & 15 -217	
	Other Expenses	\$ 127,500.00
H9.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754358 – Work Detail FY14 & 15 -209	<b>BA1301455</b>
	Personal Services	\$ 187,350.86
	Other Expenses	\$ 9,600.00
H10.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754275 – Monitoring/Surveillance FY14-15-201	
	Personal Services	\$ 1,068,762.60
	Other Expenses	\$ 11,100.00
H11.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754283 – Sheltercare – FY14 & 15 -202	
	Personal Services	\$ 78,868.85
	Other Expenses	\$ 574,992.55
H12.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754366 – Juvenile Detention Alternatives Initiative (JDAI) – FY14 & 15 -302	
	Personal Services	\$ 9,000.00
	Other Expenses	\$ 91,692.48
H13.	21A429 – Youth Services Subsidy – FCCC 2014/15	

JC754374 – Day Treatment FY14 & 15 -104  
 Other Expenses \$ 31,429.17

Funding Source: Funding from the Ohio Department of Youth Services represents the RECLAIM grants for state fiscal year 2014.

- I1. 21A429 – Youth Services Subsidy – FCCC 2014/15 **BA1301456**  
 JC754416 – Mental Health (T.R.) FY14/15 –T111  
 Other Expenses \$ 432,984.31
- I2. 21A429 – Youth Services Subsidy – FCCC 2014/15  
 JC754424 – Cognitive Behavioral Therapy (COB T.R.) FY14/15-T303  
 Personal Services \$ 72,149.81  
 Other Expenses \$ 1,251,260.88
- I3. 21A429 – Youth Services Subsidy – FCCC 2014/15  
 JC754457 – Day Treatment (T.R.) FY14/15 –R104  
 Other Expenses \$ 700,056.40
- I4. 21A429 – Youth Services Subsidy – FCCC 2014/15  
 JC754440 – Day Treatment (T.R.) FY14/15 –T104  
 Other Expenses \$ 611,000.00
- I5. 21A429 – Youth Services Subsidy – FCCC 2014/15  
 JC754432 – Fam Pres/HB (T.R.) FY14/15 -110 R100  
 Other Expenses \$ 150,005.77

Funding Source: Funding from the Ohio Department of Youth Services represents the Targeted RECLAIM grants for state fiscal year 2014.

- J. 01A001 – General Fund **BA1301459**  
 MI512780 – Information Technology Capital  
 Capital Outlay \$ 12,639.00

Funding Source: Funding comes from the General Fund.

- K. 40A526 – Ohio Dept of Transportation Local Projects Admin. **BA1301460**  
 CE785006 – Ohio Department of Transportation Local Projects Admin.  
 Capital Outlay \$ 1,227,000.00

Funding Source: The funding source is 50% United States Department of Transportation passed-through the Ohio Department of Transportation Local Project Administration and 50% Cuyahoga County \$7.50 License Tax Fund Capital Improvements.

- L. 21A532 –Safe & Sound PREA Project **BA1301410**  
 SH350009- Safe & sound PREA Project  
 Other Expenses \$ 101,865.00

Funding Source: Funding is from the United States Department of Justice, Office of Justice Programs Bureau of Justice Assistance in connection the FY10 Prison Rape Elimination Act for the period April 1, 2013 through March 31, 2014. No cash match required.

M. 21A534 –Community Correction Act Grant Program **BA1301411**  
 SH350017- FY13 Local Incarceration Program  
 Personal Services \$ 200,001.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Corrections, Division of Parole and Community Services, Bureau of Community Sanction covering the period July 1, 2012 through June 30, 2013. No cash match is required.

N. 21A534 –Community Correction Act Grant Program **BA1301412**  
 SH350090- FY14 Local Incarceration Program  
 Personal Services \$ 200,001.00

Funding Source: Funding is from the Ohio Department of Rehabilitation and Corrections, Division of Parole and Community Services, Bureau of Community Sanction covering the period July 1, 2013 through June 30, 2014. No cash match is required.

O. 20D448 –Casino Tax Revenue Fund **BA1301419**  
 DV520791-Casino Tax Revenue Fund  
 Other Expenses \$ 3,000,000.00

Funding Source: Funding is from casino taxes received to date covering the period January 1, 2013 through December 31, 2013. Sufficient cash exists in the sub-fund (account) for this request.

**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:	24A301 –Children and Family Services CF135541 – Multi Systemic Therapy (MST) Unit Other Expenses \$ 17,000.00	<b>BA1301339</b>
TO:	24A301 –Children and Family Services CF135608 – Contracted Placements Other Expenses \$ 5,000.00	
TO:	24A301 –Children and Family Services CF135525 – Supportive Services Other Expenses \$ 12,000.00	

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

B. FROM: 20A303 –Children Services Fund **BA1301342**  
 CF134049 – Purchased Congregate & Foster Care  
 Other Expenses \$ 1,035,000.00

TO: 20A303 –Children Services Fund

	CF134015 – Client Supportive Services		
	Other Expenses	\$	130,000.00
TO:	20A303 –Children Services Fund		
	CF134023 – Adoption Services		
	Other Expenses	\$	730,000.00
TO:	20A303 –Children Services Fund		
	CF134031 – CFS Foster Care		
	Other Expenses	\$	175,000.00

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

C. FROM:	24A301 –Children and Family Services		<b>BA1301437</b>
	CF135442 – Caregiver Parent Recruitment		
	Personal Services	\$	37,000.00
FROM:	24A301 –Children and Family Services		
	CF135525 – Supportive Services		
	Personal Services	\$	428,000.00
FROM:	24A301 –Children and Family Services		
	CF135582 – Permanent Custody Adoptions		
	Personal Services	\$	268,000.00
FROM:	24A301 –Children and Family Services		
	CF135616 – CFS Foster Homes/Resource Mgmt		
	Personal Services	\$	10,000.00
TO:	24A301 –Children and Family Services		
	CF135467 – Administrative services		
	Personal Services	\$	255,000.00
TO:	24A301 –Children and Family Services		
	CF135483 – Training		
	Personal Services	\$	10,000.00
TO:	24A301 –Children and Family Services		
	CF135491 – Information Technology		
	Personal Services	\$	55,000.00
TO:	24A301 –Children and Family Services		
	CF135509 – Direct Services		
	Personal Services	\$	266,000.00
TO:	24A301 –Children and Family Services		
	CF135541 – Multi Systemic Therapy (MST) Unit		
	Personal Services	\$	154,000.00

TO: 24A301 –Children and Family Services  
 CF135608 – Contracted Placements  
 Personal Services \$ 3,000.00

Funding Source: The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

D. FROM: 01A001 – General Fund **BA1302208**  
 FS109645 – Fiscal Operation – Records/License/Outreach  
 Other Expenses \$ 20,000.00

TO: 01A001 – General Fund  
 FS109645 – Fiscal Operation – Records/License/Outreach  
 Capital Outlays \$ 20,000.00

Funding Source: General Fund.

E. FROM: 01A001 – General Fund **BA1301458**  
 IG030411 – Inspector General  
 Other Expenses \$ 1,800.00

TO: 01A001 – General Fund  
 IG030411 – Inspector General  
 Capital Outlay \$ 1,800.00

Funding Source: Funding comes from the General Fund.

F. FROM: 50A410 – Cuyahoga County Information System **BA1301407**  
 JA090068 – Justice Services Cuyahoga Regional Information System  
 Personal Services \$ 60,000.00  
 Capital Outlays \$ 70,000.00

TO: 50A410 – Cuyahoga County Information System  
 JA090068 – Justice Services Cuyahoga Regional Information System  
 Other Expenses \$ 130,000.00

Funding Source: Funding is for a fee on all moving violations, user fees with various municipal police departments and a General Fund Subsidy covering the period January 1, 2013 through December 31, 2013.

G. FROM: 22A268 – HWAP 2012 **BA1301409**  
 DV725358 – HWAP HHS Support 2012  
 Other Expenses \$ 27,744.00

TO: 22A268– HWP 2012  
 DV725358 –HWAP HHS Support 2012  
 Personal Services \$ 27,744.00

Funding Source: Funding is from the United States Department of Energy and the United States Department of Health and Human Services passed through the Ohio Development Services Agency covering the period July 1, 2013 through June 30, 2013.

**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>
A. FROM:	29A390 – Alcohol Drug Addiction Mental Hlth 2.9	<b>JT1300012</b>
	SU514646– Alcohol Drug Addiction Mental Health Board Subsidy	
	Transfer Out	\$ 4,357,957.50
	29A391 – Alcohol Drug Addiction Mental Health 4.8	
	SU514596 - Alcohol Drug Addiction Mental Health Board Subsidy	
	Transfer Out	\$ 4,357,957.50
TO:	20A317 – Mental Health	
	MH431056 – Mental Health Administrative	
	Revenue Transfer	\$ 8,715,915.00

Funding Source: The source of funding is the Health and Human Services Levy Fund.

B. FROM:	26A651 – \$7.50 Road and Bridge Registration Tax	<b>JT1305201</b>
	CE417477 – \$7.50 License Tax Fund Capital Improvement	
	Transfer Out	\$ 30,495.00
TO:	40A526 – Ohio Department of Transportation Local Projects	
	Administration	
	CE785006 – Ohio Department of Transportation Local	
	Projects Administration	
	Revenue Transfer	\$ 30,495.00

Funding Source: The funding source is 50% Federal Highway Administration dollars passed through the Ohio Department of Transportation Local Project Administration and 50% Cuyahoga County \$7.50 License Tax Fund Capital Improvements.

C. FROM:	40A526 – Ohio Department of Transportation Local	
	Projects Administration	
	CE785006 – Ohio Department of Transportation Local	
	Projects Administration	
	Transfer Out	\$ 245,508.88
TO:	26A650 – \$5.00 Road Capital Improvements	
	CE418053 – County Engineer \$5.00 License Tax Fund	
	Revenue Transfer	\$ 245,508.88

Funding Source: These projects are funded 80% from Federal Highway Administration dollars passed through the Ohio Department of Transportation Local Project Administration and 20% from the Cuyahoga County \$5.00 Road Capital Improvements Fund.



D. FROM:	21A182 –TASC Drug Court CO753624 –FY2013 TASC Drug Court Transfer Out	\$ 19,110.78	<b>JT1305198</b>
TO:	20A317 – ADAMHSBCC MH435560-Pass Thru Services Revenue Transfer	\$ 19,110.78	

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.

**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 27, 2013



EDWARD FITZGERALD  
Cuyahoga County Executive

CUYAHOGA COUNTY  
FISCAL OFFICER



**August 20, 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 27, 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.

<b>General Fund/Health &amp; Human Services *</b>	<b>Amount</b>
Children & Family Services – A decrease from the Multi Systemic Therapy Unit account and a corresponding increase to Administrative Services to cover projected shortfalls in contractual services through year-end (\$700,000). Funding is from Federal and State revenues as well as the Health & Human Services Levy Fund.	\$0.00
Children & Family Services – A decrease from Purchased Congregate and Foster Care with a corresponding increase to Direct Services to cover projected shortfalls in personal services through year-end (\$1,008,000). Funding is from Federal and State revenues as well as the Health & Human Services Levy Fund.	\$0.00
Children & Family Services – A decrease from Tapestry System of Care with a corresponding increase to Information Services to cover projected shortfalls in personal services through year-end (\$60,000). Funding is from Federal and State revenues as well as the Health & Human Services Levy Fund.	\$0.00
Information Technology Capital Investments – Additional appropriation to cover the purchase of 10 demonstration computer tablets and supporting equipment for various County Agencies. Funding is from the General Fund.	\$12,639.00
<b>TOTAL</b>	<b>\$12,639.00</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Development – To appropriate Casino Tax Revenue Funds for two loans awarded pursuant to Resolutions R2013-0090 and R2013-0091. Funding is from casino tax revenues received to date.	\$3,000,000.00
<b>TOTAL</b>	<b>\$3,000,000.00</b>

<b>Grants/Projects</b>	<b>Amount</b>
Community Based Correctional Facilities Board (CBCF) – To appropriate the CBCF Operating grant from the Ohio Department of Rehabilitation and Corrections from July 1, 2013 to June 30, 2014.	\$4,287,000.00
Juvenile Court – To appropriate the Reasonable and Equitable Community and Local Alternatives to the Incarceration of Minors (RECLAIM) grant from the Ohio Department of Youth Services.	\$4,315,059.58
Juvenile Court – To appropriate the Targeted Reasonable and Equitable Community and Local Alternatives to the Incarceration of Minors (RECLAIM) grant from the Ohio Department of Youth Services.	\$3,217,457.17
Public Works/Road & Bridge – To establish appropriations for the Bagley Road Pleasant Valley Right of Way project. Funding is 50% from the U.S. Department of Transportation and 50% from the \$7.50 License Tax Fund.	\$1,227,000.00

Sheriff – To establish appropriations in the Safe & Sound Prison Rape Elimination Act from the U.S. Department of Justice, Office of Justice Programs Bureau of Justice Assistance for the period of April 1, 2013 through March 31, 2014. No cash match is required.	\$101,865.00
Sheriff – To establish appropriations for the FY13 Local Incarceration Program (\$200,001) and the FY14 Local Incarceration Program (\$200,001) from the Ohio Department of Rehabilitation and Corrections, Division of Parole and Community Services, Bureau of Community Sanction.	\$400,002.00
<b>TOTAL</b>	<b>\$13,548,383.75</b>

<b>Total Additional Appropriations - All Funds</b>	<b>\$13,561,022.75</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>Adjusted</b>		
<b>Annual</b>	<b>08/27/2013 Agenda</b>	<b>Year to Date*</b>	<b>Appropriation</b>
General Fund Impact	\$ 12,639.00	\$ 361,708,846.00	\$ 378,438,617.49
HHS Levy Impact	\$ 0.00	\$ 222,615,901.00	\$ 206,502,911.39
Other Fund Impact	\$ <u>16,548,383.75</u>	\$ <u>919,467,552.00</u>	\$ <u>1,012,449,349.26</u>
<b>Total Impact</b>	<b>\$ 16,561,022.75</b>	<b>\$ 1,503,792,299.00</b>	<b>\$ 1,597,390,878.14</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>
Children & Family Services – Realigning appropriation from the Multi Systemic Therapy to Contracted Placements (\$5,000) and Supportive Services (\$12,000) to cover projected shortfalls in other expenses through year-end. Funding is from Federal and State revenues as well as the Health & Human Services Levy Fund.	\$17,000.00
Children & Family Services – Realigning appropriation from Purchased Congregate and Foster Care to Client Supportive Services (\$130,000), Adoption Services (\$730,000), and CFS Foster Care (\$175,000) to cover projected shortfalls in Client Services through year-end. Funding is from Federal and State revenues as well as the Health & Human Services Levy Fund.	\$1,035,000.00
Children & Family Services – Realigning appropriation within various accounts to cover personal services through year-end. Funding is from Federal and State revenues as well as the Health & Human Services Levy Fund.	\$743,000.00
Fiscal Office – Realigning appropriations within the Fiscal Operations Records/License/Outreach division to cover the purchase of label printers. Funding is from the General Fund.	\$20,000.00
Inspector General – Realigning appropriations to cover the purchase of a computer. Funding is from the General Fund.	\$1,800.00
<b>TOTAL</b>	<b>\$1,816,800.00</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Cuyahoga Regional Information System (CRIS) – Realigning appropriation to cover a pending contract for consulting services. Funding is from a fee on all moving violations, user fees from various municipal police departments and a General Fund subsidy.	\$130,000.00
<b>TOTAL</b>	<b>\$130,000.00</b>

Grants/Projects	Amount
Development – Realigning appropriations within the Home Weatherization Assistance Program HHS Support to cover personal services. Funding is from U.S. Department of Energy and the U.S. Department of Health & Human Services.	\$27,744.00
<b>TOTAL</b>	<b>\$27,744.00</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$1,974,544.00</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.

General Fund/Health & Human Services *	Amount
Alcohol, Drug Addiction and Mental Health Services Board Subsidy (ADAMHS) – A cash transfer to disburse the third quarter subsidy to the ADAMHS Board. Funding is from the Health & Human Services Levy Fund.	\$8,715,915.00
<b>TOTAL</b>	<b>\$8,715,915.00</b>

Grants/Projects	Amount
Public Works/Road & Bridge – A cash transfer from the \$7.50 Road & Bridge Registration Tax to fund the Ridge Road Right of Way project. Funding is 50% Federal Highway Administration dollars and 50% from the Cuyahoga County \$7.50 License Tax Fund.	\$30,495.00
Public Works/Road & Bridge – Cash transfers from the Ohio Department of Transportation Local Projects Administration and the \$5.00 License Tax Fund to reconcile the operating accounts and close out completed projects. Funding is 80% from the Ohio Department of Transportation Local Project Administration and 20% from the Cuyahoga County Road Capital Improvement Fund.	\$245,508.88
Court of Common Pleas/Treatment Alternatives to Street Crimes Drug Court/Alcohol, Drug Addiction, and Mental Health Services Board – A cash transfer to cover contracted treatment services. Funding is from the Ohio Department of Alcohol and Drug Addiction Services.	\$19,110.78
<b>TOTAL</b>	<b>\$295,114.66</b>

<b>Total Cash Transfers - All Funds</b>	<b>\$9,011,029.66</b>
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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



To: Matt Rubino  
Wade Steen  
Wendy Feinn  
Sybil Haney

From: Michael Young

CC: Jeff Mowry  
Dennis Sullivan

Date: 8/2/2013

Re: IT Appropriation Memorandum

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Please appropriate \$12,639 for index code MI512780 from the IT Reserve for the purchase of 10 HP 900 ElitePad tablets and supporting equipment documented under CSR IT130664.

The tablets are demo units that will be provided to the County Council, Court of Appeals, Public Defenders, Public Works, and other County agencies to determine if the devices can improve their business process efficiency.

Thank you



**COURT OF COMMON PLEAS  
JUVENILE COURT DIVISION**

COUNTY OF CUYAHOGA  
9300 QUINCY AVENUE  
CLEVELAND, OHIO 44106  
OHIO RELAY SERVICE 711

216) 443-3531 / (216) 443-3520  
FAX: (216) 443-3507

**FISCAL RESOURCES**

To: Wendy Feinn  
From: Joseph D. Telatnik  
Date: August 1, 2013

Pleas process the Appropriation Requests for RO & TRO 2014 on the e-mail. Thank you.

**Sybil Haney - Re: Fwd: Quote for Toshiba Printers**

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**From:** Sybil Haney  
**To:** Eric Richter  
**Subject:** Re: Fwd: Quote for Toshiba Printers  
**CC:** Kathy Goepfert; Wendy Feinn

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To clarify, we'll transfer \$20,000 from 026 to 070.

>>> Sybil Haney 8/7/2013 4:33 PM >>>

There currently isn't enough money, but you have enough to transfer within the budget. A fiscal item will be necessary, though. We can get this on the August 27th agenda.

>>> Eric Richter 8/7/2013 9:53 AM >>>

Hi Sybil, before we get out front on this can you tell me if we have budget for this amount? This is in the Transfer/Recording area.

Thanks,

Eric

Director of Operations  
Cuyahoga County Fiscal Office  
1219 Ontario Street, 2nd Floor  
Cleveland, OH 44113  
(216) 443-5730

>>> Nina Hannum 8/7/2013 7:04 AM >>>

Here is a quote I got on the Toshiba label printers from BarCodes Inc. I would suggest putting a bid out for all 14, instead of purchasing them one at a time.

>>> Joe Puschautz <jpuschautz@barcodesinc.com> 8/6/2013 6:54 PM >>>

Hi Nina,

Please see the attached quote. I listed a line for a single printer as well as a line for all 14. Please keep me posted as to the direction your department would like to go with these. Have a nice night.

**Joe Puschautz, State and Local Government Account Manager**

BarcodesInc | 200 W. Monroe St., 10th Floor | Chicago, Illinois 60606 | p: 800-351-9962 x4821 | d: 312-582-4821 | f: 312-583-9215 | [www.barcodesinc.com](http://www.barcodesinc.com)

To view all of the products and services we provide, visit: [www.barcodesinc.com/support/barcodesinc-line-card.pdf](http://www.barcodesinc.com/support/barcodesinc-line-card.pdf)





200 W Monroe, 10th Floor  
 Chicago, IL 60606  
 Fax: 1-312-583-9215  
 Direct: 1-312-582-4821  
 Toll Free: 1-800-351-9962 Ext. 4821  
 jpuschautz@barcodesinc.com

## QUOTATION



**Quote #** Q246922  
**Account #** 462307  
**Date** 8/6/2013  
**Sales Rep.** Joe Puschautz  
**Extension** 4821

**Quote To:**

COUNTY OF CUYAHOGA  
 OFFICE OF THE FISCAL OFFICER  
 1219 ONTARIO STREET  
 CLEVELAND, OH 44113

**Ship To:**

COUNTY OF CUYAHOGA  
 OFFICE OF THE FISCAL OFFICER  
 1219 ONTARIO STREET  
 CLEVELAND, OH 44113

	Description	Qty	Unit Price	Ext. Price
	B-EX4T2, 4" WIDE, 200 DPI, 12 ips, LAN, USB, WLAN	1.00	\$1,404.70	\$1,404.70
	B-EX4T2, 4" WIDE, 200 DPI, 12 ips, LAN, USB, WLAN	14.00	\$1,256.85	\$17,595.90
<b>Total</b>				<b>\$19,000.60</b>

**To purchase this quote:**

Call Joe Puschautz direct at 1-312-582-4821 or toll-free at 1-800-351-9962 ext. 4821  
 or Fax your P.O. to 1-312-583-9215  
 or Email: jpuschautz@barcodesinc.com to place your order.



\*Price does not include shipping unless specified. Price Only Valid for quantity printed. Prices valid for 30 days from the day of quote.

## MEMORANDUM

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TO: Jeanne Schmotzer, Clerk of Council

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

DATE: August 20, 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 27, 2013. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

### **Resolution: Additional Appropriations**

A. 20A303 –Children Services Fund **BA1301340**  
CF134049 – Purchased Congregate & Foster Care  
Other Expenses \$ (700,000.00)

The Department of Children and Family Services (DCFS) has requested a decrease in appropriation offset by a corresponding increase in order to realign appropriations from the Children Services fund to the Public Assistance sub fund within DCFS to cover projected shortfalls in Contractual Services lines for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

B. 24A301 –Children and Family Services **BA1301341**  
CF135467 – Administrative Services - CFS  
Other Expenses \$ 700,000.00

The Department of Children and Family Services (DCFS) has requested an increase in appropriation offset by a corresponding decrease in order to realign appropriations from the Children Services fund to the Public Assistance fund within DCFS to cover projected shortfalls in Contractual Services lines for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

C. 20A303 –Children Services Fund **BA1301435**  
CF134049 – Purchased Congregate & Foster Care  
Other Expenses \$ (1,008,000.00)

The Department of Children and Family Services (DCFS) has requested a decrease in appropriation offset by a corresponding increase in order to realign appropriations from the Children Services fund to the Public Assistance sub fund within DCFS to cover projected shortfalls in Salaries and Fringe benefits

Fiscal Office  
Office of Budget & Management  
1219 Ontario Street, Cleveland, OH 44113, (216) 443-7220, FAX (216) 443-8193  
Ohio Relay Service (TTY) 711

for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

D.	24A301 –Children and Family Services	<b>BA1301436</b>
	CF135509 – Direct Services	
	Personal Services	\$ 1,008,000.00

The Department of Children and Family Services (DCFS) has requested an increase in appropriation offset by a corresponding decrease in order to realign appropriations from the Children Services fund to the Public Assistance fund within DCFS to cover projected shortfalls in Salaries and Fringe benefits for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

E.	24A435 –Cuyahoga Tapestry System of Care	<b>BA1301439</b>
	CF135004 – DCFS - Cuy Tapestry System of Care	
	Personal Services	\$ (60,000.00)

The Department of Children and Family Services (DCFS) has requested a decrease in appropriation offset by a corresponding increase in order to realign appropriations from the Cuyahoga Tapestry System of Care fund to the Public Assistance sub fund within DCFS to cover projected shortfalls as a result of staff movement in the Salaries Fringe benefits line for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

F.	24A301 –Children and Family Services	<b>BA1301440</b>
	CF135491 – Information Services	
	Personal Services	\$ 60,000.00

The Department of Children and Family Services (DCFS) has requested an increase in appropriation offset by a corresponding decrease in order to realign appropriations from the Cuyahoga Tapestry System of Care fund to the Public Assistance sub fund within DCFS to cover projected shortfalls as a result of staff movement in the Salaries Fringe benefits line for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

G.	21A926 – CBCF Operating Account	<b>BA1301457</b>
	CC742361 – FY 13 CBCF Operating Grant	
	Other Expenses	\$ 4,287,000.00

The Facility Governing Board of Cuyahoga County is requesting appropriation to fully appropriate the CBCF Operating Account award in support of the Community-Based Correctional Facility and Program grant, which assists local governments in community-based law enforcement services. The Ohio Department of Rehabilitation and Correction grant commences from July 1, 2013 to June 30, 2014. The award was approved by the Facility Governing Board on May 30, 2013.

H1.	21A429 – Youth Services Subsidy	<b>BA1301453</b>
	Felony Delinquent Care and Custody Fund (FCCC) 2014/15	
	JC754291 – Program Admin. – FY14 & 15-000	
	Personal Services	\$ 462,890.72
	Other Expenses	\$ 5,550.00
	Capital Outlay	\$ 85,000.00

H2.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754309 – Probation-FY14 & 15 -101	Personal Services	\$	451,065.28	
		Other Expenses	\$	8,325.00	
H3.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754317 – Fam Base HB-FY14 & 15 -110	Other Expenses	\$	38,444.00	
H4.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754325 – Mental Health – FY14 & 15 -111	Personal Services	\$	680,588.07	
		Other Expenses	\$	16,650.00	
H5.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754341 – Youth I G-FY14 & 15 -115	Other Expenses	\$	78,750.00	
H6.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754382 – Sex Offender Treatment FY14 & 15 -106	Other Expenses	\$	162,500.00	
H7.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754390 – Substance Abuse Treatment FY14 & 15 -107	Other Expenses	\$	135,000.00	
H8.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754408 – Clinical Assessment FY14 & 15 -217	Other Expenses	\$	127,500.00	
H9.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754358 – Work Detail FY14 & 15 -209	Personal Services	\$	187,350.86	<b>BA1301455</b>
		Other Expenses	\$	9,600.00	
H10.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754275 – Monitoring/Surveillance FY14-15-201	Personal Services	\$	1,068,762.60	
		Other Expenses	\$	11,100.00	
H11.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754283 – Sheltercare – FY14 & 15 -202	Personal Services	\$	78,868.85	
		Other Expenses	\$	574,992.55	
H12.	21A429 – Youth Services Subsidy – FCCC 2014/15 JC754366 – Juvenile Detention Alternatives Initiative (JDAI) – FY14 & 15 -302	Personal Services	\$	9,000.00	
		Other Expenses	\$	91,692.48	

H13.	21A429 – Youth Services Subsidy – FCCC 2014/15		
	JC754374 – Day Treatment FY14 & 15 -104		
	Other Expenses	\$	31,429.17

Each year, the Juvenile Court receives Reasonable and Equitable Community and Local Alternatives to the Incarceration of Minors (RECLAIM) grant funding from the Ohio Department of Youth Services to provide needed services while avoiding incarceration with ODYS. This appropriation request (BA1301453 and BA1301455) represents the RECLAIM grants for state fiscal year 2014.

I1.	21A429 – Youth Services Subsidy – FCCC 2014/15		<b>BA1301456</b>
	JC754416 – Mental Health (T.R.) FY14/15 –T111		
	Other Expenses	\$	432,984.31

I2.	21A429 – Youth Services Subsidy – FCCC 2014/15		
	JC754424 – Cognitive Behavioral Therapy (COB T.R.) FY14/15-T303		
	Personal Services	\$	72,149.81
	Other Expenses	\$	1,251,260.88

I3.	21A429 – Youth Services Subsidy – FCCC 2014/15		
	JC754457 – Day Treatment (T.R.) FY14/15 –R104		
	Other Expenses	\$	700,056.40

I4.	21A429 – Youth Services Subsidy – FCCC 2014/15		
	JC754440 – Day Treatment (T.R.) FY14/15 –T104		
	Other Expenses	\$	611,000.00

I5.	21A429 – Youth Services Subsidy – FCCC 2014/15		
	JC754432 – Fam Pres/HB (T.R.) FY14/15 -110 R100		
	Other Expenses	\$	150,005.77

Each year, the Juvenile Court receives Targeted Reasonable and Equitable Community and Local Alternatives to the Incarceration of Minors (Targeted RECLAIM) grant funding from the Ohio Department of Youth Services to provide needed services while avoiding incarceration with ODYS. This grant amount is based on a formula and fluctuates each year. This appropriation request represents the Targeted RECLAIM grants for state fiscal year 2014.

J.	01A001 – General Fund		<b>BA1301459</b>
	MI512780 – Information Technology Capital		
	Capital Outlay	\$	12,639.00

An IT Reserve has been established for capital and enterprise information technology investments. In this biennium, \$1,852,000 has been appropriated for capital investments. This appropriation would be used to purchase 10 demonstration computer tablets and supporting equipment for County Council, Court of Appeals, Public Defenders, Public Works, and other County agencies. Funding comes from the General Fund.

K.	40A526 – Ohio Dept of Transportation Local Projects Admin.		<b>BA1301460</b>
	CE785006 – Ohio Department of Transportation Local Projects Admin.		
	Capital Outlay	\$	1,227,000.00

Appropriation is requested by the Department of Public Works to establish the Bagley/Pleasant Valley Right of Way project. The project will improve the Bagley/Pleasant Valley Road right of way from York Road to Pearl Road and is located in Middleburg Heights and Parma. The funding source is 50% United States Department of Transportation passed-through the Ohio Department of Transportation Local Project Administration and 50% Cuyahoga County \$7.50 License Tax Fund Capital Improvements.

L.	21A532 –Safe & Sound PREA Project SH350009- Safe & sound PREA Project Other Expenses	\$ 101,865.00	<b>BA1301410</b>
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Establish appropriations in newly awarded Safe and Sound Prison Rape Elimination Act (PREA) Project that was awarded to the Sheriff’s Office by the Department of Public Safety and Justice Services for 63.9% of the total award of \$159,365 accepted by the Contracts Purchasing Board on May 20, 2013 (CPB 2013-389) with the balance awarded to the City of Cleveland. Funding is from the United States Department of Justice, Office of Justice Programs Bureau of Justice Assistance in connection the FY10 Prison Rape Elimination Act for the period April 1, 2013 through March 31, 2014. No cash match required.

M.	21A534 –Community Correction Act Grant Program SH350017- FY13 Local Incarceration Program Personal Services	\$ 200,001.00	<b>BA1301411</b>
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Establish appropriations for the award from the Community Correction Act FY2013 Local Incarceration Program. The grant was accepted by the Contracts and Purchasing Board on July 23, 2012 (CPB2012-683) from the Ohio Department of Rehabilitation and Corrections, Division of Parole and Community Services, Bureau of Community Sanction covering the period July 1, 2012 through June 30, 2013. No cash match is required.

N.	21A534 –Community Correction Act Grant Program SH350090- FY14 Local Incarceration Program Personal Services	\$ 200,001.00	<b>BA1301412</b>
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Establish appropriations in newly awarded Community Correction Act FY2014 Local Incarceration Program. The grant was accepted by the Contracts and Purchasing Board on July 15, 2013 (CPB2013-538) from the Ohio Department of Rehabilitation and Corrections, Division of Parole and Community Services, Bureau of Community Sanction covering the period July 1, 2013 through June 30, 2014. No cash match is required.

O.	20D448 –Casino Tax Revenue Fund DV520791-Casino Tax Revenue Fund Other Expenses	\$ 3,000,000.00	<b>BA1301419</b>
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Establish appropriations in the Department of Development Casino Tax Revenue Fund for loans awarded in 2013. The loans will benefit two projects, the East Ohio Gas Building conversion for \$1,500,000 (authorized under R2013-0090) and the Flats East Bank project for \$1,500,000 (authorized under R2013-0091). Funding is from casino taxes received to date covering the period January 1, 2013 through December 31, 2013. Sufficient cash exists in the fund for this request.

**Resolution: Appropriation Transfers:**

A.	FROM:	24A301 –Children and Family Services CF135541 – Multi Systemic Therapy (MST) Unit Other Expenses	\$	17,000.00	<b>BA1301339</b>
	TO:	24A301 –Children and Family Services CF135608 – Contracted Placements Other Expenses	\$	5,000.00	
	TO:	24A301 –Children and Family Services CF135525 – Supportive Services Other Expenses	\$	12,000.00	

The Department of Children and Family Services has requested appropriation transfers to realign appropriations within budget accounts to cover projected shortfalls in Other Operating lines for the remainder of the year. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

B.	FROM:	20A303 –Children Services Fund CF134049 – Purchased Congregate & Foster Care Other Expenses	\$	1,035,000.00	<b>BA1301342</b>
	TO:	20A303 –Children Services Fund CF134015 – Client Supportive Services Other Expenses	\$	130,000.00	
	TO:	20A303 –Children Services Fund CF134023 – Adoption Services Other Expenses	\$	730,000.00	
	TO:	20A303 –Children Services Fund CF134031 – CFS Foster Care Other Expenses	\$	175,000.00	

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

C.	FROM:	24A301 –Children and Family Services CF135442 – Caregiver Parent Recruitment Personal Services	\$	37,000.00	<b>BA1301437</b>
	FROM:	24A301 –Children and Family Services CF135525 – Supportive Services Personal Services	\$	428,000.00	

FROM:	24A301 –Children and Family Services CF135582 – Permanent Custody Adoptions Personal Services	\$	268,000.00
FROM:	24A301 –Children and Family Services CF135616 – CFS Foster Homes/Resource Mgmt Personal Services	\$	10,000.00
TO:	24A301 –Children and Family Services CF135467 – Administrative services Personal Services	\$	255,000.00
TO:	24A301 –Children and Family Services CF135483 – Training Personal Services	\$	10,000.00
TO:	24A301 –Children and Family Services CF135491 – Information Technology Personal Services	\$	55,000.00
TO:	24A301 –Children and Family Services CF135509 – Direct Services Personal Services	\$	266,000.00
TO:	24A301 –Children and Family Services CF135541 – Multi Systemic Therapy (MST) Unit Personal Services	\$	154,000.00
TO:	24A301 –Children and Family Services CF135608 – Contracted Placements Personal Services	\$	3,000.00

The Department of Children and Family Services has requested appropriation transfers to realign appropriations within budget accounts 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.

D.	FROM:	01A001 – General Fund FS109645 – Fiscal Operation – Records/License/Outreach Other Expenses	\$	20,000.00	<b>BA1302208</b>
	TO:	01A001 – General Fund FS109645 – Fiscal Operation – Records/License/Outreach Capital Outlays	\$	20,000.00	

A transfer is requested to purchase label printers for the Records and Microfilm office.

E.	FROM:	01A001 – General Fund IG030411 – Inspector General Other Expenses	\$	1,800.00	<b>BA1301458</b>
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TO:	01A001 – General Fund		
	IG030411 – Inspector General		
	Capital Outlay	\$	1,800.00

This transfer would allow the Office of Inspector General to purchase a computer. Funding comes from the General Fund.

F.	FROM:	50A410 – Cuyahoga County Information System		<b>BA1301407</b>
		JA090068 – Justice Services Cuyahoga Regional Information System		
		Personal Services	\$	60,000.00
		Capital Outlays	\$	70,000.00

TO:	50A410 – Cuyahoga County Information System		
	JA090068 – Justice Services Cuyahoga Regional Information System		
	Other Expenses	\$	130,000.00

Transfer appropriations within the Regional Enterprise Data Sharing System formally titled Cuyahoga County Regional Information System account for a pending consulting services contract. Funding is for a fee on all moving violations, user fees with various municipal police departments and a General Fund Subsidy covering the period January 1, 2013 through December 31, 2013.

G.	FROM:	22A268 – HWAP 2012		<b>BA1301409</b>
		DV725358 – HWAP HHS Support 2012		
		Other Expenses	\$	27,744.00
	TO:	22A268– HWP 2012		
		DV725358 –HWAP HHS Support 2012		
		Personal Services	\$	27,744.00

Transfer appropriations within the Community Development Home Weatherization Assistance Program (HWAP) Health and Human Services (HHS) Support account to permit payroll to post. Funding is from the United States Department of Energy and the United States Department of Health and Human Services passed through the Ohio Development Services Agency covering the period July 1, 2013 through June 30, 2013.

**Resolution: Cash Transfers:**

A.	FROM:	29A390 – Alcohol Drug Addiction Mental Hlth 2.9	<b>JT1300012</b>
		SU514646– Alcohol Drug Addiction Mental Health Board Subsidy	
		Transfer Out	\$ 4,357,957.50
		29A391 – Alcohol Drug Addiction Mental Health 4.8	
		SU514596 - Alcohol Drug Addiction Mental Health Board Subsidy	
		Transfer Out	\$ 4,357,957.50
	TO:	20A317 – Mental Health	
		MH431056 – Mental Health Administrative	
		Revenue Transfer	\$ 8,715,915.00

This operating transfer is necessary to disburse the 2013 third quarter subsidy payment to the ADAMHS Board. The source of funding is the Health and Human Services Levy Fund.

B.	FROM:	20A651 – \$7.50 Road and Bridge Registration Tax	<b>JT1305201</b>
		CE417477 – \$7.50 License Tax Fund Capital Improvement	
		Transfer Out	\$ 30,495.00
	TO:	40A526 – Ohio Department of Transportation Local Projects Administration	
		CE785006 – Ohio Department of Transportation Local Projects Administration	
		Revenue Transfer	\$ 30,495.00

Cash transfer is requested by the Department of Public Works to transfer Cuyahoga County’s portion of road construction costs associated with the Ridge Road Right of Way project from the engineer operating account to the Ridge Road Right of Way road capital project in order to fund the project. The project is located in the City of Brooklyn. The funding source is 50% Federal Highway Administration dollars passed-through the Ohio Department of Transportation Local Project Administration and 50% Cuyahoga County \$7.50 License Tax Fund Capital Improvements.

C.	FROM:	40A526 – Ohio Department of Transportation Local Projects Administration	
		CE785006 – Ohio Department of Transportation Local Projects Administration	
		Transfer Out	\$ 245,508.88
	TO:	26A650 – \$5.00 Road Capital Improvements	
		CE418053 – County Engineer \$5.00 License Tax Fund	
		Revenue Transfer	\$ 245,508.88

Cash transfers are requested by the Department of Public Works to transfer road construction costs associated with the St. Clair Avenue road projects. These transfers reconcile the engineer operating accounts to the road capital projects in order to close out the completed projects. The projects are located in the City of Cleveland. These projects are funded 80% from Federal Highway Administration dollars passed through the Ohio Department of Transportation Local Project Administration and 20% from the Cuyahoga County \$5.00 Road Capital Improvements Fund.

D.	FROM:	21A182 –TASC Drug Court	<b>JT1305198</b>
		CO753624 –FY2013 TASC Drug Court	
		Transfer Out	\$ 19,110.78

TO:	20A317 – ADAMHSBCC		
	MH435560-Pass Thru Services		
	Revenue Transfer	\$	19,110.78

To transfer cash back to the Alcohol Drug Addiction Mental Health Services Board of Cuyahoga County (ADAMHSBCC) from the Treatment Alternatives to Street Crime (TASC) grant proceeds to allow the Board to pay for treatment services under the Board’s contracts. 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.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0187

Sponsored by: <b>County Executive FitzGerald/Departments of Law and Sheriff</b>	<b>A Resolution</b> approving a Collective Bargaining Agreement between Cuyahoga County and Communications Workers of America, Local 4340, representing approximately 59 employees in 6 classifications in the Sheriff's Department 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.
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WHEREAS, the Cuyahoga County Department of Law has been engaged in negotiations with the Communications Workers of America Union in an effort to negotiate a successor collective bargaining agreement ("CBA") that includes approximately 59 employees in 6 classifications from the Cuyahoga County Sheriff's Department; and,

WHEREAS, the parties have met on multiple occasions in a consolidated effort to negotiate new terms and have reached a tentative agreement on a single successor collective bargaining agreement; and,

WHEREAS, on or about August 1, 2013, the members of the bargaining unit met and voted to ratify the proposed successor collective bargaining agreement in full; and,

WHEREAS, O.R.C. 4117.10 (B) requires that a public employer submit a request for funds necessary to implement an agreement, and for approval of any other matter requiring the approval of the appropriate legislative body to the legislative body within thirty days of the date on which the parties finalize the agreement, unless otherwise specified or if the legislative body is not in session at the time, then within fourteen days after it convenes; and,

WHEREAS, O.R.C. 4117.10(B) further states that the legislative body must approve or reject the submission as a whole, and the submission is deemed approved

if the legislative body fails to act within thirty days after the public employer submits the agreement; and,

WHEREAS, the Department of Law and the County Executive are recommending that Council approve the proposed Collective Bargaining Agreement for the period of January 1, 2012 – December 31, 2014; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Cuyahoga County Sheriff's Department.

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

**SECTION 1.** The Cuyahoga County Council hereby approves the Collective Bargaining Agreement between Cuyahoga County and Communications Workers of America, representing approximately 59 employees in 6 classifications in the Cuyahoga County Sheriff's Department for the period January 1, 2012 – December 31, 2014, and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** Funds necessary to implement the CBA between the County and Communications Workers of America shall be budgeted and appropriated.

**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

Journal CC011  
August 27, 2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0188

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> fixing the 2014 sewer maintenance and/or sewerage treatment rates for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Department of Public Works/Division of County Engineer recommend fixing sewer maintenance and/or sewerage treatment rates for the County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24 for Fiscal 2014; and

WHEREAS, the County has contractual obligations with communities to operate and maintain sanitary sewerage systems including sanitary sewers, wastewater treatment plants, and pumping stations; and

WHEREAS, the funds are necessary to pay for the treatment and disposal costs, and for proper maintenance and operation of the sewerage system in said districts for Fiscal 2014; and

WHEREAS, In accordance with the Ohio Revised Code Section 6117.02, the County may levy an assessment to pay the cost and expense of the maintenance and operation of such sewerage improvements, including the disposal of sewage; and

WHEREAS, said sewer maintenance and/or sewerage treatment rates shall be applied as follows:

Single Family	Front footage x maintenance rate
Condominiums	Average front footage for the community x 0.87 x sewer maintenance rate
Apartments	Per settlement formula per Common Pleas Case # 245631
Commercial	Front footage x maintenance rate x 1.15
Industrial	Front footage x maintenance rate x 1.15

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 in order to provide funds with which to maintain and operate sewerage improvements in County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24 for Fiscal 2014, the following rates shall be charged to the actual and/or potential users of such sewerage system:

**Sewer Maintenance Rate  
(Per Front Foot)**

**2014**

**Sewer Area No. 1**

Brooklyn	\$ 2.60
Linndale	\$ 2.50
Middleburg Heights	
Sanitary Sewer	\$ 2.00
Storm Sewer	\$ 0.50
Water Transmission Lines	\$ 0.20
Parma Heights	
Sanitary Sewer	\$ 1.80
Storm Sewer	\$ 0.55
Water Transmission Lines	\$ 0.15

**Sewer Area No. 1A**

Parma	
Sanitary Sewers	\$ 1.60
Storm Sewers	\$ 0.40
Water Transmission Lines	\$ 0.15

**Sewer Area No. 2**

Brooklyn Heights	
Sanitary Sewers	\$ 0.25
Storm Sewers	\$ 1.50
Seven Hills	\$ 1.00 (A)

**Sewer Area No. 3**

Beachwood –Storm Only	\$ 1.50
Gates Mills	\$10.00
Highland Heights	\$ 2.50
Lyndhurst	\$ 1.00



Mayfield Heights – Storm Only	\$ 2.50
Mayfield Village	\$ 4.00
Pepper Pike	\$ 2.50
Richmond Heights	\$ 2.70
South Euclid	\$ 1.00 (B)

**Sewer Area No. 5**

Beachwood – Storm Only	\$ 1.50
Bedford Heights	\$ 1.95
Highland Hills	\$ 2.50
North Randall	
Sanitary Sewers	\$0.75
Storm Sewers	\$1.75
Orange Village	\$ 3.00
Warrensville Heights	\$ 2.50

**Sewer Area No. 8**

Middleburg Heights	
Sanitary Sewer	\$ 2.00
Storm Sewer	\$ 0.50
Water Transmission Lines	\$ 0.20

**Sewer Area No. 9**

Garfield Heights	
Sanitary Sewers	\$ 0.70
Storm Sewers	\$ 0.30
Maple Heights	
Sanitary Sewers	\$ 2.20
Storm Sewers	\$ 0.30

**Sewer Area No. 13**

Brecksville	
Sanitary Sewers	\$ 2.50
Storm Sewers	\$ 0.60
Broadview Heights	\$ 1.50

**Sewer Area No. 14**

Olmsted Township	
Sanitary Sewers	\$ 3.50
Storm Sewers	\$ 0.47

**Sewer Area No. 20**

Bedford	\$ 1.60
Walton Hills	\$ 1.60

**Sewer Area No. 21**

Woodmere	\$ 225.00 (C)
	\$ 150.00 (C)
Pepper Pike	\$ 2.50

**Sewer Area No. 22**

Newburgh Heights	\$ 5.50
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**Sewer Area No. 24**

East Cleveland	
Sanitary Sewers	\$ 2.40
Storm Sewers	\$ 0.10

- (A) Rate Applies to properties served by County Improvement No. 231.
- (B) Rate Applies to portion of South Euclid tributary to County Improvement Nos. 3-A-1 and 3-A-2 only.
- (C) Flat Rate: \$225.00 charge for each improved parcel for 2014  
\$150.00 charge for each unimproved lot for 2014

Any charges that are not paid shall be certified to the County Fiscal Officer, as provided by law, for collection.

**SECTION 2.** That the Clerk of Council be, and she is hereby, instructed to transmit a copy of this Resolution to the County Fiscal Officer.

**SECTION 3.** It is necessary that this Resolution become immediately effective to comply with the Ohio Revised Code, Section 6117.33, which provides that assessments for such rates must be certified on or before the second Monday in September, that being September 9, 2013. 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 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

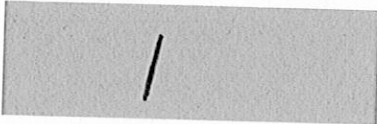
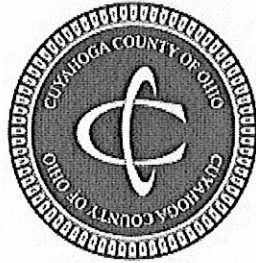
\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC011  
August 27, 2013



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept.Head Name:</b>	Jamal H. Husani
<b>Type of Request:</b>	Authority To Prepare		
<b>Request Prepared by:</b>	Monique A. Schulte	<b>Telephone No.</b>	216-348-3823
<b>SUMMARY OF REQUESTED ACTION:</b>			
<b>Summary of Request Action:</b>			
<b>A. SCOPE FO WORK SUMMARY</b>			
<p>1. Department of Public Works requesting authorization to prepare maintenance assessments for County Sewer Area Numbers 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22, 24 for Fiscal 2014. The County of Cuyahoga approves rates for the Sanitary Engineering Division because the County has contractual obligations with communities to operate and maintain sanitary sewerage systems including sanitary sewers, wastewater treatment plants, and pumping stations. There is no cost associated with this specific agreement.</p> <p>2. The primary goal is to collect all operational expenditures for revenues collected from users of the sanitary system (level one financing). Each sewer area differs in population size, lineal feet sewers and number of wasterwater treatment plants and/or pumping stations that must be maintained. This results in cost variations requiring different rates between and somtimes within areas. Secondly, sewer area accounts should always reflect a reserve balance to respond to unplanned repairs and/or replacement of sanitary systems. Area/community rates will be considered capital funds spent on unplanned projects to reimburse the area account and/or pay long-term capital dept (level two financing). Lastly, the Sanitary Engineering Division routinely evaluates the condition of the sanitary system and attempts to repair/replace systems where necessary, (planned capital projects) and within funds available for this (level three financing). It is the intent of the department to continue financing its operation at all three levels and to continue its program inaccordance with contractual obligatins and effective engineering practices.</p> <p>3. The rates are in accordance with the Ohio Revised Code Chapter 6117.02 stating the County may levy an assessment to pay the cost and expense of the maintenance and operation of such sewerage improvements, including the disposal of sewage.</p>			
<b>B. PROCUREMENT</b>			

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

**C. CONTRACTOR AND PROJECT INFORMATION**

- 1a. The municipalities and divided into Sewer Areas, which can be found in the attachment.
- 1b. The Sewer Areas are within the following County Districts: 1, 2, 4, 5, 6, 8, 9, 10, 11
- 2a. N/A
- 2b.N/A

**D. PROJECT STATUS AND PLANNING**

- 1. The rate schedule is updated annually.
- 2. N/A
- 3. The rates must be passed by Council by September 9, 2013 per the Ohio Revised Code 6117.33 which provides that assessments for such rates must be certified on or before the second Monday in September.
- 4. N/A
- 5. N/A

**E. FUNDING**

- 1. There is no cost associated with this.
- 2. N/A
- 3. N/A

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

The purpose/outcome of this specific agenda item is to receive authorization to prepare maintenance assessments for County Sewer Areas Numbers 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22, 24, for Fiscal 2014.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
	N/A

**Total Amount Requested:**  
\$

**ATTACHMENTS:**

Click to download

[Sewer Rate 2014](#)

**History**

Time

Who

Approval

Clerk of the Board

## Department of Public Works/ Sanitary Engineering Division

### County of Cuyahoga Sewer Area Rates for 2014

The rates are varied based upon Cuyahoga County division into Sewer Areas. The Ohio Revised Code requires that accounts be established for each sewer area and communities not part of a sewer area.

The proposed rates were determined as follows:

- Estimate costs for engineering, sewer inspection, treatment plants, pumping stations, lab analysis, and sewer maintenance programs (Level one financing)
- Maintain sufficient fund balances in the Sewer Area Accounts for emergency repairs or replacement of sanitary sewers; pumping stations, wastewater treatment plants and current/future capital debt (Level two financing)
- Provide capital funding (\$4-5 million ) for planned/potential projects (Level three financing)

The rates shall be applied as follows:

Single Family	Front footage x maintenance rate
Condominiums	Average front footage for the community x 0.87 x sewer maintenance rate
Apartments	Per settlement formula per Common Pleas Case # 245631
Commercial	Front footage x maintenance rate x 1.15
Industrial	Front footage x maintenance rate x 1.15

In order to provide funds with which to maintain and operate Sewerage improvements in areas designated from January 1, 2014 forward, the following rates shall be charged to the actual and/or potential users of such sewerage system:

**Sewer Maintenance Rate  
(Per Front Foot)**

**2014**

**Sewer Area No. 1**

Brooklyn	\$ 2.60
Linndale	\$ 2.50
Middleburg Heights	
Sanitary Sewer	\$ 2.00
Storm Sewer	\$ 0.50
Water Transmission Lines	\$ 0.20
Parma Heights	
Sanitary Sewer	\$ 1.80
Storm Sewer	\$ 0.55
Water Transmission Lines	\$ 0.15

**Sewer Area No. 1A**

Parma	
Sanitary Sewers	\$ 1.60
Storm Sewers	\$ 0.40
Water Transmission Lines	\$ 0.15

**Sewer Area No. 2**

Brooklyn Heights	
Sanitary Sewers	\$ 0.25
Storm Sewers	\$ 1.50
Seven Hills	\$ 1.00 (A)

**Sewer Area No. 3**

Beachwood –Storm Only	\$ 1.50
Gates Mills	\$10.00
Highland Heights	\$ 2.50
Lyndhurst	\$ 1.00
Mayfield Heights – Storm Only	\$ 2.50
Mayfield Village	\$ 4.00
Pepper Pike	\$ 2.50
Richmond Heights	\$ 2.70

South Euclid

\$ 1.00 (B)

**Sewer Maintenance Rate  
(Per Front Foot)**

2014

**Sewer Area No. 5**

Beachwood – Storm Only	\$ 1.50
Bedford Heights	\$ 1.95
Highland Hills	\$ 2.50
North Randall	
Sanitary Sewers	\$0.75
Storm Sewers	\$1.75
Orange Village	\$ 3.00
Warrensville Heights	\$ 2.50

**Sewer Area No. 8**

Middleburg Heights	
Sanitary Sewer	\$ 2.00
Storm Sewer	\$ 0.50
Water Transmission Lines	\$ 0.20

**Sewer Area No. 9**

Garfield Heights	
Sanitary Sewers	\$ 0.70
Storm Sewers	\$ 0.30
Maple Heights	
Sanitary Sewers	\$ 2.20
Storm Sewers	\$ 0.30

**Sewer Area No. 13**

Brecksville	
Sanitary Sewers	\$ 2.50
Storm Sewers	\$ 0.60
Broadview Heights	\$ 1.50

**Sewer Area No. 14**

Olmsted Township	
Sanitary Sewers	\$ 3.50
Storm Sewers	\$ 0.47



**Sewer Maintenance Rate  
(Per Front Foot)**

2014

**Sewer Area No. 20**

Bedford	\$ 1.60
Walton Hills	\$ 1.60

**Sewer Area No. 21**

Woodmere	\$ 225.00 (C)
	\$ 150.00 (C)
Pepper Pike	\$ 2.50

**Sewer Area No. 22**

Newburgh Heights	\$ 5.50
------------------	---------

**Sewer Area No. 24**

East Cleveland	
Sanitary Sewers	\$ 2.40
Storm Sewers	\$ 0.10

(A) Rate Applies to properties served by County Improvement No. 231.

(B) Rate Applies to portion of South Euclid tributary to County Improvement Nos. 3-A-1 and 3-A-2 only.

(C) Flat Rate:     \$ 225.00 charge for each improved parcel for 2014  
                      \$ 150.00 charge for each unimproved lot for 2014

Any charges that are not paid shall be certified to the County Fiscal Officer, as provided by law, for collection.

The Clerk of Council be, and she is hereby, instructed to transmit a copy of this resolution to the County Fiscal Officer and one copy to the Department of Public Works/Sanitary Engineer.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0189

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> approving and confirming the 2014 sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Engineer has prepared and presented to the County Council for the County of Cuyahoga, Ohio the 2014 sewer maintenance and sewerage treatment assessments to be approved and confirmed for the sewerage improvement in County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24; and

WHEREAS, funds are necessary to pay for the operation and maintenance of the sanitary sewerage systems, including sanitary sewers, wastewater treatment plants, and pumping stations for said districts for Fiscal 2014; and

WHEREAS, the primary goal is to collect all operational expenditures from revenues collected from users of the sanitary systems; and

WHEREAS, in accordance with the Ohio Revised Code Section 6117.02, the County may levy an assessment to pay the cost and expense of the maintenance and operation of such sewerage improvements, including the disposal of sewage; 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 sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22 and 24, as prepared and filed with the Council by the County Engineer be, and the same are, hereby approved and confirmed and said assessments are hereby ordered recorded in the original assessment records of the County of Cuyahoga, Ohio for

the year 2014, to which reference is hereby made a part hereof, as fully and completely as though set forth at length and rewritten herein.

**SECTION 2.** That there be, and hereby is, levied and assessed upon the several lots and parcels of land listed and described in said report the amount set forth to be assessed by the County of Cuyahoga, Ohio, through the Department of Public Works/County Engineer, upon each of said lots and parcels of land.

**SECTION 3.** That the said assessments so made, approved and confirmed, are hereby certified to the County Fiscal Officer for collection.

**SECTION 4.** That the installments of such assessments, when collected, shall be placed to the credit of the Department of Public Works/County Engineer's fund to be used for the purposes set forth in the Resolution directing the Department to prepare such assessments.

**SECTION 5.** That the Clerk of Council be, and she is hereby, instructed to transmit a copy of this Resolution to the County Fiscal Officer and one copy to the Department of Public Works/County Engineer.

**SECTION 6.** It is necessary that this Resolution become immediately effective to comply with the Ohio Revised Code Section 6117.33, which provides that assessments for such rates must be certified on or before the second Monday in September, that being September 9, 2013. 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 7.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC011  
August 27, 2013



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept.Head Name:</b>	Jamal H. Husani
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Monique A. Schulte	<b>Telephone No.</b>	216-348-3823

**SUMMARY OF REQUESTED ACTION:**

**A. SCOPE OF WORK**

1. Department of Public Works requesting approval and confirmation of the maintenance assessments for County Sewer Districts Numbers 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22, 24 for Fiscal 2014. The County of Cuyahoga approves rates for the Sanitary Engineering Division because the County has contractual obligations with communities to operate and maintain sanitary sewerage systems including sanitary sewers, wastewater treatment plants, and pumping stations. There is no cost associated with this specific agreement.
2. The primary goal is to collect all operational expenditures from revenues collected from users of the sanitary systems (level one financing). Each sewer area differs in population size, lineal feet of sewers and number of wastewater treatment plants and/or pumping stations that must be maintained. This results in cost variations requiring different rates between and sometimes within areas. Secondly, sewer area accounts should always reflect a reserve balance to respond to unplanned repairs and/or replacement of sanitary systems. Area/community rates will be considered capital funds spent on unplanned projects to reimburse the area account and/or pay long-term capital dept (level two financing). Lastly, the Sanitary Engineering Division routinely evaluates the condition of the sanitary system and attempts to repair/replacae systems where necessary, (planned capital projects) and within funds available for this purpose (level three financing). It is the intent of the department to continue financing its operation at all three levels and to continue its program in accordance with contractual obligations and effective engineering practices.
3. The rates are in accordance with the Ohio Revised Code Chapter 6117.02 stating the County may levy an assessment to pay the cost and expenses of the maintenance and operation of such sewerage improvements, including the disposal of sewage.

**B. PROCUREMENT**

1. N/A

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

**C. CONTRACTOR AND PROJECT INFORMATION**

- 1a. The municipalities are divided into Sewer Areas, which can be found in the attachment.
- 1b. The Sewer Areas are within the following County Districts: 1, 2, 4, 5, 6, 8, 9, 10, 11.
- 2a. N/A
- 2b. N/A

**D. PROJECT STATUS AND PLANNING**

- 1. The rates schedule is updated annually.
- 2. N/A
- 3. The rates must be passed by Council by September 9, 2013 per the Ohio Revised Code 6117.33 which provides that assessments for such rates must be certified on or before the second Monday in September.
- 4. N/A
- 5. N/A

**E. FUNDING**

- 1. There is no cost associated with this.
- 2. N/A
- 3. N/A

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

The purpose /outcome of this sepcific agenda item is to receive approval and confirmation of the assessments for maintenance for County Sewer Districts Numbers 1, 1A, 2, 3, 5, 8, 9, 13, 14, 20, 21, 22, & 24 for the Fiscal 2014.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
	N/A

**Total Amount Requested:**  
\$

**ATTACHMENTS:**

Click to download

[Sewer Rate 2014](#)

**History**

**Time**

**Who**

Clerk of the Board

**Approval**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0190

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> making an award on RQ27675 to C & K Industrial Services, Inc. in the amount not-to-exceed \$1,670,690.00 for cleaning and televising sanitary sewers in various communities for the period 10/1/2013 - 9/30/2015; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, the County Executive/Department of Public Works has recommended an award on RQ27675 to C & K Industrial Services, Inc. in the amount not-to-exceed \$1,670,690.00 for cleaning and televising sanitary sewers in various communities for the period 10/1/2013 - 9/30/2015; and

WHEREAS, this project will be funded with the Sewer District Cash Funds, and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ27675 to C & K Industrial Services, Inc. in the amount not-to-exceed \$1,670,690.00 for cleaning and televising sanitary sewers in various communities for the period 10/1/2013 - 9/30/2015.

**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

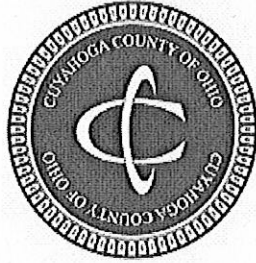
_____	_____
County Executive	Date

_____	_____
Clerk of Council	Date

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_





3

**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer/Sanitary Engineering Division	<b>Agency/Dept. Head Name:</b>	Thomas P. Sotak, P.E.
<b>Type of Request:</b>	Award Recommendation		
<b>Request Prepared by:</b>	Juliann Conway	<b>Telephone No.</b>	216-348-3838
<b>SUMMARY OF REQUESTED ACTION:</b>			
Department of Public Works			
<u>A) SCOPE OF WORK SUMMARY</u>			
1. is recommending an award on RQ27675 to C & K Industrial Services, Inc. in the amount not-to-exceed \$1,670,690.00 for the 2013 Cleaning and Televising of Sanitary Sewers in various Communities for a Two-year Period.			
2. and enter into a contract with C & K Industrial Services, Inc. They were determined to be the lowest qualified bidder and submitted all necessary documentation per the Bid Specifications.			
<u>PROCUREMENT</u>			
1) Competitive Bid process.			
2) The Office of Procurement and Diversity (OPD) assessed a 20% SBE Goal and was met and approved.			
3) The engineer's estimate was \$2,500,000.00. The bids were open on June 27, 2013.			
There were Ten (10) proposals pulled from OPD and four (4) bids were submitted for review and an award recommendation is being made to the lowest qualified bidder.			

3) N/A.

**C) CONTRACTOR AND PROJECT INFORMATION**

C & K Industrial Services, Inc. 216-642-00555617 E. Schaaf Road  
Independence, Ohio

Council District - 7

3. Construction will be in various Council Districts.

**D. PROJECT STATUS AND PLANNING**

1. This is a two-year open contract estimated to start 10/1/13 thru 09/30/15 or until funds are depleted.

**E. FUNDING**

1. Sewer District Cash Funds

The contractor has completed ethics training as required

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

Arthur Karas, President & George Karas, Vice President

The purpose of this contract is to have a contractor available to perform the above referenced services as needed throughout various communities in Cuyahoga County, Ohio.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

Competitive Bid

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

**Financial Information:**

**Funding source:**

Other

**Explanation:**

See Summary of Requested Action

**Total Amount Requested:**

\$1,670,690.00

**ATTACHMENTS:**

Click to download

- [Auditor's Findings](#)
- [Business Name Filing](#)
- [DPW Bid Tabulations](#)
- [Contract Part 1 of 5](#)



(OPD USE ONLY) Date Sent to Dept

1-3-13

Date Received from Dept

7/16/2013

OFFICE OF PROCUREMENT & DIVERSITY

TABULATION OF BIDS RECEIVED OVER \$25,000

Revised 7/3/13

BID DUE DATE:

June 27, 2013

CONTRACT PERIOD

N/A

REQUISITION NUMBER

ST - 13 - 27675

NUMBER OF ITB'S SENT/RETURNED

10/4

REQUISITIONING DEPT.

Public Works - Sanitary Engineer

ESTIMATE

\$2,500,000.00

COMMODITY DESCRIPTION

2013 Cleaning & Telesing Sanitary Sewers

SBE GOAL

20%

TO BE COMPLETED BY OPD AND USER DEPARTMENT (P=PROCUREMENT, D=DEPARTMENT)

TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER

BIDDER'S NAME & ADDRESS	BID BOND / CHECK	P-Back Y/N	P-ADMINISTRATIVE D-TECHNICAL REVIEW	ACTUAL BID AMOUNT	SBE SUBCONTRACTOR NAME	CCBB	SBE PRIME	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS
C & K Industrial Services, Inc. 5617 East Schaeff Road Independence, Ohio 44131	Bid Bond, 100% - Western Surety Company	Y	NCA - 01C 164 12-0111 OK (AD) 7-1-13 \$336,000.00	\$1,670,690.00	Rate & Rate Contractor Ser. 17% \$275,000.00 The Safety Co/AT Tech Co. 3% \$51,000.00	N	N	20%	Y	7/2/13 7/12/13
Nerome & Sons, Inc. 19501 South Miles Road Warrensville Heights, Ohio 44128	Bid Bond 100% - Traveler's Casualty & Surety of America	Y	NCA - OK NOT OK OK (AD) 7-1-13 \$45,525.00	\$2,329,125.00	Nerome & Sons, Inc. SBE 20% \$210,000 Premium Tech. Ser 19% \$35,000 Construction Exp.	N	Y	30%	Y	Prime is SBE Premium Tech. Ser Construction Exp. 7/2/13
United Survey, Inc. 25145 Broadway Avenue Oakwood Village, Ohio 44146	Bid Bond, 100% - Evergreen National Indemnity Company	Y	NCA - OK 164 12-2861 OK (AD) 7-1-13	\$2,333,420.00	United Survey, SBE 20% Broadway Excavating 10% \$233,342.00	N	Y	30%	Y	Prime is SBE. Did not submit SBE Form. Firm did not specify amount. 7/2/13
Terra Contracting Services, LLC. 6760 Metroplex Romulus, Michigan 48174	Bid Bond, 100% - Fidelity & Deposit Company of Maryland	N	NCA - OK No 164 7-1-13	\$2,365,876.72	Fabrizi Rebuilding, LLC 13% \$316,743.52 Builders & Tiers Development No longer certified Quick Equipment 4% \$210,031.52	N	N	20%	Y	Builders & Tiers Development Certificate Exp. Do longer certify 7/2/13 7/2/13

CCBB: Low Non-CCBB Bid: \$1,670,690.00 +2% \$ 334,138 = \$1,704,103.80 Does CCBB apply? Y (S)  
 \* LOWEST BID RECD: \$1,670,690.00 RANGE OF LOWEST BID RECD: \$1,000,000.00 - \$2,000,000.00 PRICE PREE % & \$ LIMIT: 2% 133,655.20 MAX SBE PRICE PREE \$ 1,804,345.20  
 (Note: CCBB must meet all bid requirements)

OBMA APPROVAL (If actual bid exceeds estimate) \_\_\_\_\_ DATE \_\_\_\_\_  
 DEPARTMENT DIRECTOR SIGNATURE: Paul H. Lee 7/12/13  
 DEPARTMENT DIRECTOR NAME: Bonith G. TEJEWEN (Date Signed)  
 LOW BIDDER NOTIFIED: CNO \_\_\_\_\_ EYES Date: \_\_\_\_\_  
 Tab sheet with SBE Updated 04/19/2013

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0191

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> authorizing an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for lease of office space located at 1701 East 12 <sup>th</sup> Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014 to change the scope of services, effective 10/1/2013, and for additional funds in the amount of \$220,000.03; 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.
---	---

WHEREAS, the County Executive/Department of Public Works has recommended an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for lease of office space located at 1701 East 12<sup>th</sup> Street, Cleveland, Ohio 44114, to include additional leased space for the period 10/1/2013 – 7/31/2014 and for additional funds in the amount of \$220,000.03; and

WHEREAS, County Council has determined that entering into the proposed contract is in the best interest of the County; and

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

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

**SECTION 1.** That the Cuyahoga County Council authorizes an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for the lease of additional office space located at 1701 East 12<sup>th</sup> Street, Cleveland, Ohio 44114 for the period October 1, 2013 through July 31, 2014 for additional funds in the amount of \$220,000.03. Any and all necessary exemptions under Chapter 501 of the Cuyahoga County Code are hereby granted.

**SECTION 2.** That the County Executive is authorized to execute the amendment 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\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0192

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> amending the 2012/2013 Biennial Operating Budget for 2013 by providing for an additional fiscal appropriation from the General Fund in order to meet the budgetary needs of a County department; and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, on December 11, 2012, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program Update for 2013 (Resolution No. R2012-0232) establishing the 2013 biennial budget update for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2013 to reflect a budgetary funding increase in order to accommodate the operational needs of a County department; and

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

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

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

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
H. 01A001 – General Fund SV102053 – College Savings Program	<b>BA1301337</b>
Personal Services \$ 75,400.00	
Other Expenses \$ 1,874,600.00	

Funding Source: General Fund.

**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:

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

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

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

Journal CC011  
August 27, 2013



EDWARD FITZGERALD  
Cuyahoga County Executive

CUYAHOGA COUNTY  
FISCAL OFFICER



August 20, 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 27, 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.

General Fund/Health & Human Services *	Amount
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
<b>TOTAL</b>	<b>\$1,950,000.00</b>

**APPROPRIATION STATUS SUMMARY:**

	08/27/2013 Agenda	Year to Date*	Adjusted Annual Appropriation
General Fund Impact	\$ 1,950,000.00	\$ 361,708,846.00	\$ 378,438,617.49
HHS Levy Impact	\$ 0.00	\$ 222,615,901.00	\$ 206,502,911.39
Other Fund Impact	\$ 0.00	\$ 919,467,552.00	\$ 1,012,449,349.26
<b>Total Impact</b>	<b>\$ 1,950,000.00</b>	<b>\$ 1,503,792,299.00</b>	<b>\$ 1,597,390,878.14</b>

\* 2013 appropriation levels adopted by resolution R2012-0232 on December 11, 2012.

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: Jeanne Schmotzer, Clerk of Council

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

DATE: August 20, 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 27, 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>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.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0193

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management</b></p>	<p><b>A Resolution</b> making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to Chagrin Valley Dispatch Council of Governments in the amount not-to-exceed \$330,000.00 for Public Safety Answering Point consolidation support for the period 9/1/2013 - 12/31/2014; authorizing the County Executive to execute the agreement and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
---	--

WHEREAS, the County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management has recommended making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to Chagrin Valley Dispatch Council of Governments in the amount not-to-exceed \$330,000.00 for Public Safety Answering Point consolidation support for the period 9/1/2013 - 12/31/2014; and

WHEREAS, these primary goals of this project are: (a) To further the County's efforts under the 9-1-1 Consolidation Plan, by providing financial resources to communities engaging in the 9-1-1 consolidation efforts; and (b) to support the physical and technical infrastructure, professional services, equipment and upgrades needed to support consolidation; and

WHEREAS, this project is mandated by Cuyahoga County Council, Ohio Ordinance No. O2013-0010; and

WHEREAS, this project is funded 100% by the 9-1-1 Consolidation Shared Services funds; 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 approves the Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to Chagrin Valley Dispatch

Council of Governments in the amount not-to-exceed \$330,000.00 for Public Safety Answering Point consolidation support for the period 9/1/2013 - 12/31/2014.

**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:

_____	_____
County Council President	Date

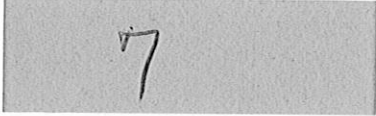
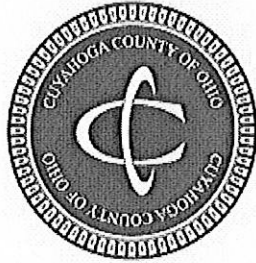
_____	_____
County Executive	Date

_____	_____
Clerk of Council	Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal \_\_\_\_\_  
 \_\_\_\_\_, 20\_\_\_



**Item Details:**

**Agency/Dept. Name:** Department of Justice Affairs/Emergency Services Division  
**Agency/Dept.Head Name:** Norberto Colon

**Type of Request:** Grant App/Award/Agreement

**Request Prepared by:** Michelle Norton  
**Telephone No.:** 443-7722

**SUMMARY OF REQUESTED ACTION:**

**I. NovusAgenda Summary of Requested Action - Form Title: Public Safety & Justice Services, 2013, Chagrin Valley Dispatch Council, Agreement, 9-1-1 Consolidation Shared Services Fund Award A. Scope of Work Summary** 1. **Public Safety & Justice Services** requesting approval of an **Agreement/Award** with the **Chagrin Valley Dispatch Council** for the anticipated cost not-to-exceed **\$330,000.00**. The anticipated start-completion dates are (09/01/2013 - 12/31/2014 ). 2. The primary goals of the project are (list 2 to 3 goals).

- A. To further County efforts under the 9-1-1 Consolidation Plan, by providing financial resources to communities engaging in 9-1-1 consolidation efforts.
- B. The Fund will support physical and technical infrastructure, professional services, equipment and upgrades needed to support consolidations.

3. The project is mandated by **County Council of Cuyahoga County, Ohio Ordinance No. O2013-0010.B. Procurement** 1. The procurement method for this project was by **Application to the 9-1-1 Consolidation Shared Services Fund**. 2. The award recommendation was made on **7/18/2013**. 3. There were **one application** submitted for review to the **9-1-1 Consolidation Shared Services Fund Review Committee**. **C. Contractor and Project Information** 1. The address(es) of all vendors and/or contractors is (provide the full address in the following format): **Chagrin Valley Dispatch Council of Governments 21 West Washington Street Chagrin Falls, Ohio 44022 Council District (6)** 2. The **(President)** for the contractor/vendor is **(Mayor Thomas Brick)** **D. Project Status and Planning** 1. The project (is new to the County). **E. Funding** 1. The **Award** is funded (100% by the **9-1-1 Consolidation Shared Services**

**Fund) 2.** The schedule of payment is **(one time award.)**

Public Safety Anserwing Point This item

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

This consolidation effort will reduce the number of County PSAPs by 3. Construction is slated to begin September 2013. Chagrin Valley Dispatch Council currently serves approximately 13,213 or 1% of the population for Cuyahoga County. (1.5% excluding the City of Cleveland). This number will increase to 16,613 with the two additional consolidations expected to be completed by 1<sup>st</sup> Quarter 2014. Chagrin Valley Dispatch Council is committed to being a regional dispatch center for smaller communities that want to maintain a higher level of service.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

Exempt from Competitive Bid Requirements

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

**Financial Information:**

**Funding source:**

Other

**Explanation:**

9-1-1 Wireless Assistance Fund

**Total Amount Requested:**

\$330,000.00

**ATTACHMENTS:**

Click to download

- [W9 CVDC](#)
- [Agreement Cover CVDC](#)
- [911 CSSF Agreement CVDC signed TAB](#)
- [Cuyahoga County 9-1-1 Consolidation Shared Services Fund Guidance & Application - Attachment I](#)
- [Cuyahoga County Council O2013-0010 - Attachment II](#)
- [CVDC Scope of Work - Attachment III](#)
- [911 CSSF Financial Report - Exhibit B](#)
- [Chagrin Valley Dispatch Council of Govt - 911 Consolidation Shared Services Fund Request - Application EXHIBIT C](#)
- [CVDC Award Recommendation - 911 CSSF](#)
- [OPD Approval - Other Than Full Justification](#)
- [Requisition JA-13-28256](#)
- [CVDC State Auditor Findings](#)
- [Dept. Acknowledgement Form](#)

**History**

**Time**

**Who**

**Approval**

Office of Procurement & Diversity

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0194

<b>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and on behalf of Common Pleas Court/Adult Probation Department and Juvenile Court Division</b>	<b>A Resolution</b> authorizing a Master Services Agreement with The MetroHealth System in the total amount not-to-exceed \$4,417,955.84 for various services for various time periods; 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 FitzGerald/Department of Health and Human Services on behalf of various County departments, has submitted for Council's approval, a Master Services Agreement with The MetroHealth System for medical home and toxicology services in the total amount not-to-exceed \$4,417,955.84 for various services and time periods as follows:

- 1) in the amount not-to-exceed \$268,000.00 for toxicology services for Common Pleas Court/Adult Probation Department for the period 6/1/2011 - 12/31/2016.
- 2) in the amount not-to-exceed \$2,430,991.84 for toxicology services for Common Pleas Court/Juvenile Court Division for the period 7/1/2013 - 6/30/2015.
- 3) in the amount not-to-exceed \$443,964.00 for medical home services for the Pediatric Foster Care Program for Division of Children and Family Services for the period 8/1/2013 - 7/31/2015.
- 4) in the amount not-to-exceed \$1,275,000.00 for toxicology services for Division of Children and Family Services for the period 8/1/2011 - 7/31/2016.

WHEREAS, the proposed services will provide access to certain toxicology, drug testing and/or quality healthcare services to adults on probation, youth in custody or aging out of foster care, and youth residing in the Juvenile Court Detention Center; and

WHEREAS, the funding for this contract will come from various sources.

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 The MetroHealth System in the total amount not-to-exceed \$4,417,955.84 for the following services and time periods:

- 1) in the amount not-to-exceed \$268,000.00 for toxicology services for Common Pleas Court/Adult Probation Department for the period 6/1/2011 - 12/31/2016.
- 2) in the amount not-to-exceed \$2,430,991.84 for toxicology services for Common Pleas Court/Juvenile Court Division for the period 7/1/2013 - 6/30/2015.
- 3) in the amount not-to-exceed \$443,964.00 for medical home services for the Pediatric Foster Care Program for Division of Children and Family Services for the period 8/1/2013 - 7/31/2015.
- 4) in the amount not-to-exceed \$1,275,000.00 for toxicology services for Division of Children and Family Services for the period 8/1/2011 - 7/31/2016.

**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 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 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\_\_





8a-d

**Item Details:**

<b>Agency/Dept. Name:</b>	Administrator's Office/Health and Human Services	<b>Agency/Dept. Head Name:</b>	Rick Werner
<b>Type of Request:</b>	Agreement/Amendment		
<b>Request Prepared by:</b>	Janet L. Carr	<b>Telephone No.</b>	216.443.7032

**SUMMARY OF REQUESTED ACTION:**

Office of Health and Human Services is requesting approval of an agreement between the Division of Children and Family Services, Common Pleas Court Adult Probation and Juvenile Court with MetroHealth Medical Center for Medical Home and Toxicology services. The dates and agreement amounts are:

- DCFS - Medical Home: 8/1/2013 - 7/31/2015 - \$443,964.00
- DCFS - Toxicology: 8/1/2011 - 7/31/2016 - \$1,275,000.00
- Juvenile Court - Toxicology: 7/1/2013 - 6/30/2015 - \$2,430,991.84
- Adult Probation - Toxicology: 6/1/2011 - 12/31/16 - \$268,000.00

Total agreement: 6/1/2011 - 12/31/2016 - \$4,417,955.84

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

This agreement combines several individual contracts between one or more of the County's departments, agencies, courts, offices, boards, commissions or other authorities of the County with the MetroHealth System into one Master Agreement. The proposed services will provide access to certain toxicology, drug testing and/or quality healthcare services to adults on probation, youth in custody or aging out of foster care, and youth residing in the Juvenile Court Detention Center.

**Explanation for late submittal:**

The reason for the late submission was that this agreement was the first of its kind and required extended negotiations with the vendor and Courts.

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

**Funding source:      Explanation:**

Other                      Various

**Total Amount Requested:**

\$4,417,955.84

**ATTACHMENTS:**

Click to download

- [MetroHealth Agreement](#)
- [MetroHealth Cover](#)
- [MetroHealth Auditor's Findings](#)
- [MetroHealth Insurance](#)
- [MetroHealth Insurance 2](#)
- [MetroHealth Signature Authorization](#)
- [MetroHealth W-9](#)
- [MetroHealth Workers' Comp](#)
- [Metro SOS](#)

**History**

<b>Time</b>	<b>Who</b>	<b>Approval</b>
8/6/2013 4:24 PM	Office of Procurement & Diversity Clerk of the Board	Yes



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0195

Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services</b>	<b>A Resolution</b> making an award on RQ28280 to Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,383,696.00 for managing the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the McKinney-Vento Homeless Assistance Act for the period 8/1/2013 - 7/31/2014; 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/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services has recommended an award on RQ28280 to Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,383,696.00 for managing the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the McKinney-Vento Homeless Assistance Act for the period 8/1/2013 – 7/31/2014; and

WHEREAS, the provider will (a) administer the S+C SRA grant, which provides rent subsidies on over 200 rental units per month; (b) verify client eligibility; (c) perform Housing Quality Standards Inspections on every property initially and then annually at the time of recertification; (d) pay landlords on a monthly basis; and (e) respond to landlord, neighbor and jurisdictional concerns related to client stability; and

WHEREAS, this Contract will be funded 100% by the U.S. Department of Housing & Urban Development, McKinney-Vento Homeless Assistance Grant and the provider will be reimbursed for rent assistance for clients 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 RQ28280 to Emerald Development and Economic Network, Inc. in the amount not-

to-exceed \$1,383,696.00 for managing the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the McKinney-Vento Homeless Assistance Act for the period 8/1/2013 – 7/31/2014.

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

**SECTION 3.** It is 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

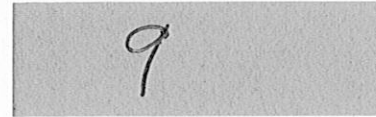
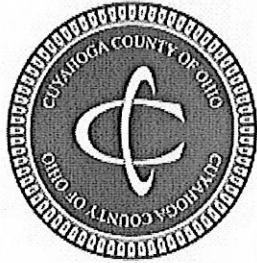
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Date

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

\_\_\_\_\_  
Date

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_



**Item Details:**

<b>Agency/Dept. Name:</b>	Administrator's Office/Office of Homeless Services	<b>Agency/Dept. Head Name:</b>	Ruth Gillett
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**Type of Request:** Contract/Amendment

<b>Request Prepared by:</b>	Ruth Gillett	<b>Telephone No.</b>	420-6844
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**SUMMARY OF REQUESTED ACTION:**

Submitting a contract with Emerald Development & Economic Network, Inc. in the amount of \$ 1,383,696.00 for managing a Shelter Plus Care Sponsor Based Rental Assistance grant award for the period August 1, 2013 - July 31, 2014.

**A. Scope of Work Summary**

1. The Office of Homeless Services is requesting approval of a contract with Emerald Development & Economic Network, Inc. (EDEN) in the amount of \$1,383,696.00 for the term of 8/01/2013 through 7/31/2014.
2. The provider will a) administer the S+C SRA grant which provides rent subsidies on over 200 rental units per month; b) verify client eligibility; c) perform Housing Quality Standards inspections on every property initially and then annually at the time of recertification; d) pay landlords on a monthly basis; e) and respond to landlord, neighbor, and jurisdictional concerns related to client stability.
3. N/A

**B. Procurement**

1. N/A
2. N/A
3. (3) A Request for RFP Exemption was submitted on 7/22/13, and approved to be placed on an agenda for approval prior to the Contract consideration date of August 27.

**C. Contractor and Project Information**

1. Emerald Development & Economic Network, Inc.  
7812 Madison Ave.  
Cleveland, OH 44102

- County Council District #4
2. The Executive Director is Irene Collins. (216) 961-9690.
  3. The rent subsidies are targeted to Chronically homeless individuals residing in Housing First Initiative, permanent supportive housing projects.

**D. Project Status and Planning**

1. The services provided through this contract are funded by an annual grant from the U.S. Department of Housing & Urban Development.
2. N/A
3. The Contract is on a critical path due to delays related to the HUD Grant Award process.
4. The new contract start date is 8/01/13. The exemption request and contract were submitted as quickly as possible to minimize reimbursement issues for the provider.
5. N/A

**E. Funding**

1. The Contract is funded 100% by the U.S. Department of Housing & Urban Development, McKinney-Vento Homeless Assistance Grant.
2. The provider is reimbursed for rent assistance for clients on a monthly basis.
3. N/A

**PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):**

See Work Summary

**Explanation for late submittal:**

See Scope of Work D. 3. & 4.

**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:**

\$1,383,696.00

**ATTACHMENTS:**

Click to download

- [contract](#)
- [evaluation](#)
- [Auditor's findings](#)
- [Business Filing](#)
- [Insurance Certificate](#)

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

**Contractor:** Emerald Development & Economic Network, Inc.

**Contract/Agreement No.:** CE1200539-01      **Time Period:** 8/01/12 – 7/31/13

**Service Description:** Administering the Shelter Plus Care rent subsidy program.

**Original Contract/Agreement Amount:** \$ 1,464, 552.00

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

**Performance Indicators:** Rent payments paid on time; housing inspections conducted in a timely manner; compliance with HUD regulations for managing grant funds, data, and documenting match requirements.

**Actual performance versus performance indicators (include statistics):** EDEN has met all the performance indicators for managing the S+C grant program. EDEN has passed both a HUD monitoring review and the State Audit review.

**Rating of Overall Performance of Contractor (Check One):**

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

**Justification of Rating:** EDEN has continued to manage this challenging program for over 18 years. The agency is client focused and has increased its technical capacity to manage the program efficiently.

Office of Homeless Services, Ruth Gillett

7/29/13

\_\_\_\_\_  
User Department

\_\_\_\_\_  
Date

s: evaluation



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0169

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> 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.
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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 currently owned by the County for sale, including County Archives Building on 2843 and 2905 Franklin Avenue in Cleveland, Ohio; 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 Welcome House, Inc., to purchase the land and all buildings and improvements commonly known as the County Archives Building (“County Archives Building”) located at 2843 and 2905 Franklin Avenue, Cleveland, Ohio 44113; and,

WHEREAS, the proposal is to sell the property for Six Hundred Fifty Thousand and 00/100 Dollars (\$650,000.00); and,

WHEREAS, Fifty Thousand and 00/100 Dollars (\$50,000.00) of the purchase price will be used to fund an escrow for certain repairs to the property during the lease term; and,

WHEREAS, the County is to also lease the property to continue the County Archives functions until such time as they can be relocated to space to be leased by the County at the Halle Warehouse located at 1890 E. 40<sup>th</sup> Street, Cleveland, Ohio; and,

WHEREAS, the lease term is for up to twelve months; and,

WHEREAS, the County may terminate the lease at any time upon thirty days advance written notice; and,

WHEREAS, rent for the property is \$1.00 per month; and,

WHEREAS, the County is responsible for all operating expenses incurred by it during the term of the proposed lease; and,

WHEREAS, Welcome House 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 County Archives Building to Welcome House, Inc. and authorizes the County Executive to enter into the a Purchase and Sale Agreement and Lease with Welcome House, Inc. 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, a lease 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 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: July 23, 2013

Committee(s) Assigned: Committee of the Whole

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0175

<p><b>Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b></p>	<p><b>A Resolution</b> 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.</p>
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WHEREAS, on December 11, 2012, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program Update for 2013 (Resolution No. R2012-0232) establishing the 2013 biennial budget update for all County departments, offices and agencies; and

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

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

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

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

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. 01A001 – General Fund	BA1301327
SU514174 – Educational Assistance Subsidy	
Other Expenses	\$ 380,000.00

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. 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.

I.	20A606 — Cuyahoga Support Enforcement Agency	<b>BA1301398</b>
	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.

J.	20A076 – Cuy Co Reg Forensic Science Lab SR	<b>BA1302184</b>
	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.

K.	01A001 — General Fund	<b>BA1301421</b>
	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.

L.	20A804 — Public Defender Cleve Municipal Div	<b>BA1301421</b>
	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.

M.	64A601 – County Office Supply Contract	<b>BA1301426</b>
	FS109751 – Fiscal – County Supplies	
	Other Expenses	\$ 200,000.00

Funding Source: Revenues come from charges to user agency for the supplies purchases.

N.	20A811 – Juvenile Court Detention & Probation Services	<b>BA1301427</b>
	JC107524 – Juvenile Court Detention Services	
	Other Expenses	\$ 634,175.00

Funding Source: Funding comes from the Health and Human Services Levy Fund.

O.	01A001 –General Fund	<b>BA1301352</b>
	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.

P.	20A695 –Clerk of Courts Computerization	<b>BA1301353</b>
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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.

Q.	01A001 –General Fund		<b>BA1301354</b>
	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		<b>BA1301379</b>
	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		<b>BA1301382</b>
	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		<b>BA1301383</b>
	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		<b>BA1301429</b>
	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:		
	<b>BA1301334</b>	
	24A640 – FCFC Public Assistance Funds	
	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) **BA1301403**  
 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

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 **BA1301404**  
 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

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	<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

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	<b>JT1305199</b>  \$ 515,912.88
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
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Funding Source: The funding source is the Health and Human Services Levy Fund.

B. FROM:	20A891 –Common Pleas HHS Subsidy	<b>JR1301704</b>
	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)	<b>JT1305196</b>
	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	<b>JT1305197</b>
	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

First Reading/Referred to Committee: August 13, 2013

Committee(s) Assigned: Finance & Budgeting

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_\_\_



# 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

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: August 13, 2013  
 Committee(s) Assigned: Public Works, Procurement & Contracting

Journal \_\_\_\_\_  
 \_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0177

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b></p> <p>Co-sponsored by: <b>Councilmember Rogers</b></p>	<p><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.</p>
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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: August 13, 2013  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: August 13, 2013

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

terms and conditions as may be approved by the County's Director of Law, and (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.

**SECTION 3.** That all documents to be executed in connection with the transactions contemplated herein be subject to approval as to legal form and correctness as authorized by the Director of Law.

**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: August 13, 2013

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

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

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: August 13, 2013

Committee(s) Assigned: Finance & Budgeting

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# 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.

**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: August 13, 2013  
Committee(s) Assigned: Health, Human Services & Aging

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# 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: August 13, 2013  
Committee(s) Assigned: Health, Human Services & Aging

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0183

<p>Sponsored by: <b>County Executive FitzGerald/ Department of Health and Human Services/Division of Children and Family Services</b></p>	<p><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.</p>
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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 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: August 13, 2013  
Committee(s) Assigned: Health, Human Services & Aging

Journal \_\_\_\_\_  
\_\_\_\_\_, 2012

# 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**

Effective December 1, 2013, 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.

- B. 3 Year Dog License Fee is \$60 per dog.
- C. Permanent Dog License Fee is \$200 per dog.
- D. Kennel Registration Fee is \$100.
- E. The 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.

**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: August 13, 2013  
 Committee(s) Assigned: Finance & Budgeting

Journal \_\_\_\_\_  
\_\_\_\_\_, 20\_\_