



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 10, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
5:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
 - a) August 27, 2013 Committee of the Whole Meeting (See Page 9)
 - b) August 27, 2013 Regular Meeting (See Page 12)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. COMMITTEE REPORTS AND CONSIDERATION OF MOTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**
 - a) M2013-0025: A Motion confirming the County Executive's appointment of David Crampton to serve on the Cuyahoga County Board of Developmental Disabilities, and declaring the necessity that this Motion become immediately effective. (See Page 29)

Sponsors: Councilmembers Connally and Conwell

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

- b) 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 31)

Sponsors: Councilmembers Connally and Conwell

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

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

- a) O2013-0022: An Ordinance establishing a Cuyahoga County Monument Commission, and declaring the necessity that this Ordinance become immediately effective. (See Page 33)

Sponsor: Council President Connally

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

- a) R2013-0196: 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 39)

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

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

- a) R2013-0197: A Resolution making an award on RQ27992 to Specialized Construction Incorporated in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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 57)

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

- b) R2013-0198: A Resolution authorizing an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 63)

Sponsor: County Executive FitzGerald/Department of Public Works

- c) R2013-0199: A Resolution authorizing the issuance and sale of Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project) in an aggregate principal amount not-to-exceed \$5,000,000.00 for the purpose of providing moneys to pay costs of a "Project" within the meaning of Ohio Revised Code Chapter 165; authorizing the preparation and use of a preliminary official statement, authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a cooperative agreement, a bond purchase agreement, a bond registrar agreement and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective. (See Page 69)

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Benesh Friedlander Coplan & Aronoff, LLP

- d) R2013-0200: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective. (See Page 90)

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

- e) R2013-0201: A Resolution authorizing an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, in the amount not-to-exceed \$25,000,000.00 for the sale of tax lien certificates; 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 98)

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

- f) R2013-0202: A Resolution making an award on RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program 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 101)

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

- g) R2013-0203: A Resolution making an award on RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for Out-of-School Time and Transition Services for the period 9/1/2013 - 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 107)

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council

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

- a) R2013-0179: A Resolution making an award on RQ24534 to Weston Inc. in the total amount of \$3,420,000.00 for the sale of various County buildings; authorizing leases in connection with said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the projects; and declaring the necessity that this Resolution become immediately effective: (See Page 112)

- 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

Committee Assignment and Chair: Committee of the Whole – Connally

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

- 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 116)

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

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

- 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 12th 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 118)

Sponsor: County Executive FitzGerald/Department of Public Works

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

- c) 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 120)

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

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

- d) 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 122)

- 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 medical 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

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

- e) 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 128)

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

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

- a) O2013-0018: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's risk management procedures and insurance requirements and repealing Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 in conformity therewith; and declaring the necessity that this Ordinance become immediately effective. (See Page 131)

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

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

16. MISCELLANEOUS COMMITTEE REPORTS

17. MISCELLANEOUS BUSINESS

18. PUBLIC COMMENT UNRELATED TO AGENDA

19. ADJOURNMENT

NEXT MEETING

REGULAR MEETING:

TUESDAY, SEPTEMBER 24, 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 27, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
3:00 PM

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 3:05 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment related to the agenda.

4. MATTERS REFERRED TO COMMITTEE

- a) 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.

Mr. Ryan Jeffers, First Vice President of CBRE, and Ms. Bonnie Teeuwen, Director of Public Works, addressed Council regarding Resolution No. R2013-0179. Discussion ensued.

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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0179 was considered and approved by unanimous roll-call vote to be referred to the full Council agenda with a recommendation for second reading.

5. DISCUSSION / EXECUTIVE SESSION

- a) Collective Bargaining Agreement between Cuyahoga County and Communications Workers of America representing approximately 59 employees in 6 classifications in the Sheriff's Department for the period 1/1/2012 - 12/31/2014.

A motion was made by Mr. Rogers, seconded by Mr. Schron and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters pertaining to a Collective Bargaining Agreement between Cuyahoga County and Communications Workers of America, and for no other purpose whatsoever. Executive Session was then called to order by President Connally at 3:30 p.m. The following Councilmembers were present: Gallagher, Schron, Conwell, Jones, Rogers, Greenspan, Miller, Brady, Germana and Connally. Councilmember Simon was absent from Executive Session. The following additional attendees were present: Law Director Majeed Makhoul and Assistant Law Director Egdilio Morales and Council Chief of Staff Joseph Nanni. At 3:45 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the meeting.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business discussed.

7. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment unrelated to the agenda.

8. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 3:46 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, AUGUST 27, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
5:00 PM**

1. CALL TO ORDER

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

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation be dedicated in memory of the life and times of former Governor John J. Gilligan, who passed away recently.

5. 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:

A) Tony Thomas

- B) Michael Dougherty
- C) David Ellison
- D) Stephen Harrison
- E) Bill Merriman
- F) Kathleen Knittel

Mr. Bruce Akers, Chair of the Charter Review Commission, then addressed Council regarding issues of concern to him relating to various County Charter amendments.

6. APPROVAL OF MINUTES

- a) August 13, 2013 Committee of the Whole Meeting
- b) August 13, 2013 Regular Meeting

A motion was made by Mr. Germana, seconded by Mr. Schron and approved by unanimous vote to approve the minutes of the August 13, 2013 Committee of the Whole and regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported the following:

- A) **The North American Gaelic Games finals will be held at Barton-Bradley Sports Complex in North Olmsted during Labor Day Weekend; and**
- B) **Thanked the Charter Review Commission for its service.**

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Motion No. M2013-0026.

- 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.

Sponsor: Council President Connally/Chief of Staff

On a motion by Ms. Conwell with a second by Mr. Rogers, Motion No. M2013-0026 was considered and approved by unanimous vote.

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.

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Motion No. M2013-0027 to the Human Resources, Appointments & Equity Committee.

- 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.

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Motion No. M2013-0028 to the Human Resources, Appointments & Equity Committee.

- 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:

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

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Motion No. M2013-0029 to the Human Resources, Appointments & Equity Committee.

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2013-0184.

- 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.

Sponsor: Council President Connally

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0184 was considered and adopted by a majority roll-call vote with Councilmembers Conwell, Jones, Rogers, Simon, Miller, Brady, Germana, Gallagher and Connally voting in the affirmative and Councilmembers Schron and Greenspan casting dissenting votes.

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.

Sponsors: Councilmembers Connally and Gallagher

Council President Connally referred Resolution No. R2013-0185 to the Public Safety & Justice Affairs Committee.

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.

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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0136 was considered and adopted by unanimous roll-call vote.

- 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

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2013-0137 was considered and adopted by unanimous roll-call vote.

- 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

A motion was made by Mr. Schron and seconded by Ms. Conwell to approve Resolution No. R2013-0139. The motion failed by a unanimous roll-call vote with no Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.

- 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

A motion was made by Mr. Schron and seconded by Ms. Conwell to approve Resolution No. R2013-0140. The motion failed by a unanimous roll-call vote with no Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.

- 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

A motion was made by Mr. Miller and seconded by Ms. Conwell to approve Resolution No. R2013-0143. The motion failed by a roll-call vote of 1 yea and 10 nays with Councilmember Miller voting in the affirmative and Councilmembers Schron, Conwell, Jones, Rogers, Simon, Greenspan, Brady, Germana, Gallagher and Connally casting dissenting votes.

- 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

A motion was made by Mr. Schron and seconded by Ms. Conwell to approve Resolution No. R2013-0144. The motion failed by a unanimous roll-call vote with no Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.

- 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

A motion was made by Mr. Schron and seconded by Ms. Conwell to approve Resolution No. R2013-0145. The motion failed by a unanimous roll-call vote with no Councilmembers voting in the affirmative and all Councilmembers casting dissenting votes.

- 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.

Sponsors: Councilmembers Conwell and Miller

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2013-0158 was considered and adopted by a majority roll-call vote with Councilmembers Schron, Conwell, Jones, Rogers, Simon, Greenspan, Miller, Germana and Connally voting in the affirmative and Councilmembers Brady and Gallagher casting dissenting votes.

- 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.

Sponsors: Councilmembers Connally and Miller

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2013-0159 was considered and adopted by unanimous roll-call vote.

- 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.

Sponsors: Councilmembers Simon and Miller

A motion was made by Mr. Schron and seconded by Mr. Miller to approve Resolution No. R2013-0160. The motion failed by a roll-call vote of 5 yeas and 6 nays with Councilmembers Schron, Conwell, Simon, Greenspan and Miller voting in the affirmative and Councilmembers Jones, Rogers, Brady, Germana, Gallagher and Connally casting dissenting votes.

- 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.

Sponsors: Councilmembers Connally and Greenspan

A motion was made by Mr. Schron and seconded by Mr. Miller to approve Resolution No. R2013-0161. The motion failed by a roll-call vote of 1 ye and 10 nays with Councilmember Miller voting in the affirmative and Councilmembers Schron, Conwell, Jones, Rogers, Simon, Greenspan, Brady, Germana, Gallagher and Connally casting dissenting votes.

- 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.

Sponsors: Councilmembers Connally **and** Greenspan ~~and Miller~~

A motion was made by Mr. Schron and seconded by Ms. Conwell to approve Resolution No. R2013-0162. The motion failed by a roll-call vote of 5 yeas and 6 nays with Councilmembers Schron, Rogers, Greenspan, Germana and Gallagher voting in the affirmative and Councilmembers Conwell, Jones, Simon, Miller, Brady and Connally casting dissenting votes.

- 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.

Sponsors: Councilmembers Greenspan and Schron

A motion was made by Mr. Schron and seconded by Ms. Conwell to approve Resolution No. R2013-0164. The motion failed by a roll-call vote of 6 yeas and 5 nays with Councilmembers Schron, Rogers, Simon, Greenspan, Germana and Gallagher voting in the affirmative and Councilmembers Conwell, Jones, Miller, Brady and Connally casting dissenting votes.

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2013-0186, R2013-0187, R2013-0188 and R2013-0189.

- 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.

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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0186 was considered and adopted by unanimous vote.

- 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.

Sponsor: County Executive FitzGerald/Departments of Law and Sheriff

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2013-0187 was considered and adopted by unanimous vote.

- 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.

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

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2013-0188 was considered and adopted by unanimous vote.

- 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.

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

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2013-0189 was considered and adopted by unanimous vote.

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.

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

Council President Connally referred Resolution No. R2013-0190 to the Public Works, Procurement & Contracting Committee.

- 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 12th 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.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2013-0191 to the Public Works, Procurement & Contracting Committee.

- 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.

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

Council President Connally referred Resolution No. R2013-0192 to the Finance & Budgeting Committee.

- 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.

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

Council President Connally referred Resolution No. R2013-0193 to the Public Safety & Justice Affairs Committee.

- 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:

- 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

Council President Connally referred Resolution No. R2013-0194 to the Public Safety & Justice Affairs Committee.

- 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.

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

Council President Connally referred Resolution No. R2013-0195 to the Health, Human Services & Aging Committee.

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2013-0175, R2013-0176, R2013-0177, R2013-0178, R2013-0180, R2013-0181, R2013-0182 and R2013-0183.

- 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.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

A motion was made by Mr. Germana, seconded by Mr. Miller and approved by unanimous vote to refer Resolution No. R2013-0169 to the Committee of the Whole.

- 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.

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

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2013-0175 was considered and adopted by unanimous vote.

- 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.

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

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

On a motion by Mr. Jones with a second by Mr. Rogers, Resolution No. R2013-0176 was considered and adopted by unanimous vote.

- 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.

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

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

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2013-0177 was considered and adopted by unanimous vote.

- 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.

Sponsor: County Executive FitzGerald/Department of Public Works

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

On a motion by Mr. Jones with a second by Mr. Schron, Resolution No. R2013-0178 was considered and adopted by unanimous vote.

- 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.

Sponsor: County Executive FitzGerald/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2013-0180 was considered and adopted by unanimous vote.

- 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.

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

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2013-0181 was considered and adopted by unanimous vote.

- 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.

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

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

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2013-0182 was considered and adopted by unanimous vote.

- 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:

- 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

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2013-0183 was considered and adopted by unanimous vote.

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2013-0021.

- 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.

Sponsors: County Executive FitzGerald/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Ms. Simon with a second by Mr. Miller, Ordinance No. O2013-0021 was considered and adopted by unanimous vote.

18. MISCELLANEOUS COMMITTEE REPORTS

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, September 4, 2013 at 11:00 a.m.

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, September 4, 2013 at 1:00 p.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, September 9, 2013 at 1:00 p.m. and on Tuesday, September 17, 2013 at 3:00 p.m.

On behalf of Ms. Conwell, Mr. Rogers reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, September 3, 2013 at 10:00 a.m. and on Tuesday, September 17, 2013 at 10:00 a.m.

19. MISCELLANEOUS BUSINESS

There was no miscellaneous business discussed.

20. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment unrelated to the agenda.

21. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Council President Connally at 7:47 p.m., without objection.

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

MOTION NO. M2013-0025

Sponsored by: Councilmembers Connally and Conwell

A Motion confirming the County Executive’s appointment of David Crampton to serve on the Cuyahoga County Board of Developmental Disabilities for the term ending 1/31/2017, and declaring the necessity that this Motion become immediately effective.

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

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

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

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

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

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

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

SECTION 1. The Council of Cuyahoga County hereby confirms the appointment of David Crampton, to serve on the Cuyahoga County Board of

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:

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0022

Sponsored by: Council President Connally	An Ordinance establishing a Cuyahoga County Monument Commission, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article II, Section 2.03(2) empowers the County Executive to create commissions and appoint members of such commissions, subject to confirmation by County Council; and,

WHEREAS, the County Council deems a Cuyahoga County Monument Commission necessary to preserve and honor historical occurrences and significant individuals for the purpose of promoting a diverse and representative cultural environment for and on behalf of citizens and visitors of Cuyahoga County; and,

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

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

SECTION 1: CHAPTER 206 of the Cuyahoga County Code, which provides for county commissions, is hereby amended to add a new section 206.10 as follows:

SECTION 206.10: COUNTY MONUMENT COMMISSION

A. Cuyahoga County Monument Commission Established.

(1) To encourage and promote a diverse and representative cultural environment for and on behalf of the citizens and visitors of Cuyahoga County through appropriate memorialization of significant persons, communities, and historic events, as well as to provide the opportunity to further enrich such citizenry through public monuments, the Cuyahoga County Monument Commission is hereby established.

B. Definitions. As used in this section:

(1) "Monument" shall mean any statuary, sculpture, fountain, garden, mural, nameplate, marker, park land, works of art, and other symbolic forms of public art erected to commemorate famous or notable persons, communities or historic events;

- (2) “Person(s)” shall mean an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation, or other legal or commercial entity;
- (3) “Donation” shall mean any monument or any monetary amount designated for the construction and maintenance of a monument;
- (4) “Loan” shall mean a deposit of property that is not accompanied by a transfer of title to the property;
- (5) “Ordinary Expenses” shall mean costs associated with operations, maintenance, and minor repairs of a monument;

C. Purpose of Monument Commission.

- (1) The purpose of the Monument Commission is to ensure that new Monuments are erected on Cuyahoga County property, and that existing Monuments are restored, renovated, enhanced, and/or repaired in accordance with rules and procedures established by the Commission. The Commission reviews all proposals for new Monuments to be erected and existing Monuments to be restored, renovated, enhanced and/or repaired in accordance with rules and procedures established by the Commission.

D. Composition and Qualifications of Monument Commission Members.

- (1) The Monument Commission shall be composed of seven voting members, each of whom shall be an elector of Cuyahoga County.
- (2) The Commission shall include a representative of the County Planning Commission, a representative of the County Department of Public Works, and a member of the County Council to be determined by the President. The remaining four positions on the Commission shall be individuals who have demonstrated a significant interest in studying the arts or local history.
- (3) The Commission shall designate a chairperson, and other necessary officers, by a majority vote.

E. Appointment Process.

- (1) Other than the member of Council, each Commission member shall be appointed by the County Executive and confirmed by the County Council.

F. Commission Member Terms.

- (1) The term of office for each Commission member shall be three years.
- (2) Terms of office for other than the Council member, shall commence upon the date specified in the motion proposing confirmation by Council.

- (3) Of the initial terms for Commission membership, four members shall be appointed to full terms and three members shall be appointed to half terms.
- (4) Commission membership shall be a non-compensated position, but members shall be entitled to reimbursement for reasonable expenses in connection with Commission duties.

G. Commission Member Resignation.

- (1) If a Commission member, other than a Council member, should resign, the County Executive shall appoint, subject to the approval of County Council, a replacement Commission member to fulfill the remainder of the vacated term.

H. Monument Commission Rules.

The Commission shall be responsible for establishing rules and procedures governing Cuyahoga County Monuments. Such rules shall include guidelines, criteria, and procedures for considering monument proposals, approval of monument designs and locations, acceptance of monuments and donations, whether as gifts or loans, financial responsibility, insurance, and other costs. The Commission shall include any other rules it deems necessary for carrying out its purposes.

I. Approval of Monument Designs.

In approving Monument design, the Commission shall establish standard criteria which shall include, but not be limited to, size, safety, suitability, and sustainability.

J. Approval of Monument Locations.

In approving Monument locations, the Commission shall establish standard criteria which shall include, but not be limited to, safety, space constraints, pedestrian and traffic flow, and historical significance of the site.

K. Requirement of Necessary Permitting and Permissions.

Unless otherwise negotiated, the donor(s) of or applicants for a monument, whether new or renovated or repaired, are solely responsible for obtaining all necessary permits from the requisite County Departments and other governmental entities and to coordinate with the requisite entity to ensure that no utilities are damaged during installation and/or repairs.

L. Donations.

- (1) The County may accept donations upon a vote of the Commission.
- (2) When a Monument is donated to the County, the donor must provide all funds for the planning, installation, and other incidental

expenses of the monument unless otherwise negotiated prior to acceptance.

M. Loaning a Monument.

- (1) The County may accept a Monument on loan upon a vote of the Commission.
- (2) The County may accept Monuments on loan from a person, but, prior to acceptance, the County shall negotiate all financial outlays for the cost of planning, installation, maintenance, and removal.

N. Financial Liability for Monuments – Unless otherwise negotiated, the donor or lender of a Monument shall provide full insurance for the Monument. The Commission shall negotiate with the donor the proper insurance coverage related to the specific monument prior to acceptance. In the event that a Monument is destroyed, rendered irreparable, or financially impracticable to replace, the Commission shall make all determinations in regards to replacement, movement, or closure of the Monument.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2013



**CUYAHOGA COUNTY COUNCIL
LEGISLATIVE ANALYSIS AND SUMMARY**

ORDINANCE NO: O2013-0022

DATE: August 30, 2013

SUBJECT: Monument Commission

SPONSOR(S) Connally

GENERAL PURPOSE:

The ordinance establishes a Monument Commission, responsible for

- creating rules and procedures governing the location and design of any new monuments or renovations/repairs to existing monuments on Cuyahoga County government property.
- approving the design and location of monuments

SUMMARY OF MAJOR PROVISIONS:

- Establishes a Monument Commission and Purpose – provides a vehicle for appropriate memorialization of persons or events and public discussion of “monuments,” as defined
- Seven (7) member Commission, including representation from Public Works, Planning Commission, and Council, and general public with expertise or interest;
 - provides for appointment and terms
- Requires Commission to establish rules governing approval of designs, acceptance of donations or loans, location, financial responsibility, permitting, etc.

BUDGETARY IMPACT: Unknown at the moment; may require staff assistance with meetings, rules, etc.

NOTE: The ordinance does not envision a role for the Executive or the Council in approving a monument. Assuming that when dealing with outside groups, some kind of agreement/contract will have to be executed, there will be an executive and/or legislative check during the contract approval process.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0196

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

G.	21A578 –JJDP Block Grant JA758110-Cuyahoga County Title II FY2013 Other Expenses	\$ 160,429.00	BA1301415
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Funding Source: Funding is from the United States Department of Justice passed through the Ohio Department of Youth Services covering the period January 1, 2013 through June 30, 2014. No cash match is required.

H.	22A102 –CDBG Contract DV711556-Rehab Operations 98 Other Expenses	\$ (74.00)	BA1301418
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Funding Source: Funding is from the United States Department of Housing and Urban Development covering the period October 1, 1997 through September 30, 1998.

I.	40A069 – Capital Projects Future Debt Issue CC768234 – Interim Headquarters Personal Services Other Expenses Capital Outlays	\$ 588,000.00 \$ 1,426,000.00 \$ 81,000.00	BA1301511
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Funding Source: Total cost for the move is estimated to be \$2,095,000 and will be funded from excess Funding from the medical mart/convention center project. The interim move costs will be included in the total cost to build the hotel on the sight of the existing County Administration building.

J.	01A001 – General Fund CT577106 – Risk and Property Management Other Expenses	\$ 486,000.00	BA1301505
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Funding Source: The funding source is the General Fund.

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:	21A561 – Citizens Corps Council Grant Program BA1301472 JA753814 – Citizen Corps Program-FFY2010-2010/2013 Other Expenses \$ 2,287.63
TO:	21A561–Citizens Corps Council Grant Program JA753814 –Citizen Corp Program-FFY2010-2010/2013 Capital Outlays \$ 2,287.63

Funding Source: Funding is from the Ohio Emergency Management Agency covering the period August 1, 2010 through June 30, 2013.

B. FROM: 21A218 – State SHSP-Law Enforcement (SHSPLE) **BA1301473**
 JA767913 – FFY10 State Homeland-Law Enforcement 10/13
 Other Expenses \$ 4,185.14

TO: 21A218–State SHSP-Law Enforcement (SHSPLE)
 JA767913 –FFY10 State Homeland-Law Enforcement 10/13
 Personal Services \$ 4,185.14

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 June 30, 2013.

C. FROM: 21A837 – State Homeland Security **BA1301474**
 JA763441 – State Homeland Security (SHSP) 2010/2013
 Other Expenses \$ 20,023.52

TO: 21A837–State Homeland Security
 JA763441 –State Homeland Security (SHSP) 2010/2013
 Capital Outlays \$ 20,023.52

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 June 30, 2013.

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
September 10, 2013



EDWARD FITZGERALD
Cuyahoga County Executive

CUYAHOGA COUNTY
FISCAL OFFICER



September 3, 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 September 10, 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
Public Works/Risk & Property Management – Additional appropriation to cover the payment of property taxes for the MetroHealth Systems properties. Funding is from the General Fund.	\$531,458.00
Information Technology Capital – Additional appropriation to cover the purchase of computers for the Sheriff’s Office as part of the replenishment plan (\$58,106) and to purchase an automated tape library to provide a backup for disaster recovery (\$61,620). Funding is from the General Fund.	\$119,726.00
Public Works/Facilities Management – Additional appropriation to cover the rental agreements for the Greater Cleveland Regional Transportation Authority Harvard Garage for storage space (\$216,000) and the Reserve Square lease (\$270,000). Funding is from the General Fund.	\$486,000.00
TOTAL	\$1,137,184.00

Other Operating Funds	Amount
Family & Children First Council – To appropriate a donation from the Department of Public Safety and Justice Services’ Witness Victim in connection with the Defending Children Initiative.	\$22,000.00
Common Pleas Court – Additional appropriation to cover other expenses through year-end and to purchase various computer and technology expenses. Funding is from fees collected by the court.	\$345,000.00
Probate Court – Additional appropriation to cover professional services associated with indigent guardianship. Funding is from fees collected by the court.	\$25,000.00
Capital Projects Future Debt Issue – To appropriate funds to cover the leasehold improvements and moving expenses necessary to house county employees in temporary facilities. Funding is from excess funding from the medical mart/convention center project. The interim move costs will be included in the total cost to build the hotel on the sight of the existing County Administration building.	\$2,095,000.00
TOTAL	\$2,487,000.00

Grants/Projects	Amount
Justice Services – Reducing appropriation in the Regional Collaboration Project 2010/2013 as a result of reduction in the award and in preparation of grant closure. Funding is from the U.S. Department of Homeland Security, State Homeland Security Grant Program.	-\$316,000.00
Justice Services – To establish appropriation for the Juvenile Justice Delinquency Prevention Block Grant (JJDP) Title II 2013/2014 from the U.S. Department of Justice.	\$160,429.00

Development – Reducing appropriation in the Community Development Block Grant, Rehab Operations 98 to prepare for grant closure. Funding is from the U.S. Department of Housing and Urban Development.	-\$74.00
TOTAL	(\$155,645.00)

Total Additional Appropriations - All Funds	\$3,468,539.00
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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.

APPROPRIATION STATUS SUMMARY:	Adjusted Annual		
	09/10/13 Agenda	Year to Date*	Appropriation
General Fund Impact	\$ 1,137,184.00	\$ 361,708,846.00	\$ 379,575,801.49
HHS Levy Impact	\$ 0.00	\$ 222,615,901.00	\$ 206,502,911.39
Other Fund Impact	\$ <u>2,331,355.00</u>	\$ <u>919,467,552.00</u>	\$ <u>1,014,780,704.26</u>
Total Impact	\$ 3,468,539.00	\$ 1,503,792,299.00	\$ 1,600,859,417.14

* 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.

Grants/Projects	Amount
Justice Services – Realigning appropriation within the Citizens Corps Council grant program to cover the purchase of laptop computers. Funding is from the Ohio Emergency Management Agency.	\$2,287.63
Justice Services – Realigning appropriations within the FFY10 State Homeland Law Enforcement grant to cover adjustments for salary and fringes and prepare for grant closure. Funding is from the U.S. Department of Homeland Security.	\$4,185.14
Justice Services – Realigning appropriations within the State Homeland Security grant to cover adjustment and close out grant. Funding is from the U.S. Department of Homeland Security.	\$20,023.52
TOTAL	\$26,496.29

Total Appropriation Transfers - All Funds	\$26,496.29
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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.

Total Cash Transfers - All Funds	\$0.00
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Thank you for your consideration regarding this matter.

Sincerely,



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



DEPARTMENT OF PUBLIC WORKS

MEMORANDUM

TO: Tim Jackson, Office of Budget and Management

FROM: Leesa Priah, Public Works – Finance Division

SUBJECT: Additional Appropriation
Fund / Subfund: 01A/001
Index Code: CT577106

DATE: August 15, 2013

To cover the cost of property taxes for Metro Health Systems, please request additional appropriation as follows:

Object	0648	Taxes & Assessments	\$	<u>531,458.00</u>
		Total	\$	531,458.00

Should you have any questions please call me at 698-2513. Thank you.

Attachments

CC: Matt Rubino
Sybil Haney
Kendra Zusy

F

Payee

CUYAHOGA COUNTY TREASURER
1219 ONTARIO ST
CLEVELAND, OH 44113

PUBLIC WORKS

VOUCHER



Department

Approval

Dept.

Name

Date

Filed

Received

By

Henry 1/15/13

Phone

FISCAL

EXT.

6954

1/15/2013

HOLD

ELECTRONIC UPLOAD

CT13 00048

000132967C00

531,458.31

DOCUMENT NUMBER

VENDOR NUMBER

DOCUMENT AMOUNT

Y		4
Y/N	# LINES	



DOC. SUFFIX NO.	TRANSACTION AMOUNT	INDEX CODE	SUB OBJECT	USER CODE	GRANT	GRANT DETAIL	PROJECT	PROJECT DETAIL
01	77,059.11	CT577601	354					
Description		PARCEL NO. 008-20-001						
02	7,420.75	CT577601	354					
Description		PARCEL NO. 008-21-050						
03	79,301.57	CT577601	354					
Description		PARCEL NO. 014-17-008						
04	367,676.88	CT577601	354					
Description		PARCEL NO. 014-17-010						
05								
Description								
06								
Description								





**CUYAHOGA COUNTY
DEPARTMENT of PUBLIC WORKS**

HOLD

Date: January 15, 2013

To: Ella Foster

000132967000

Payee: County Treasurer
1219 Ontario Street
Cleveland, Ohio 44113

\$531,458.31	Y
DOCUMENT AMOUNT	Y/N

DESCRIPTION OF PAYMENT:

Property Taxes for Perm Parcel's No: Metro Hospital

#008-20-001 #014-17-008
#008-21-050 #014-17-010

CT577601 - 0354

CT1300048

Doc Suffix No:	TRANSACTION AMOUNT	INDEX	SUB-OBJECT	USER CODE
1	\$77,059.11	CT577106	0648	
Doc Suffix No:	TRANSACTION AMOUNT	INDEX	SUB-OBJECT	USER CODE
2	\$7,420.75	CT577106	0648	
Doc Suffix No:	TRANSACTION AMOUNT	INDEX	SUB-OBJECT	USER CODE
3	\$79,301.57	CT577106	0648	
Doc Suffix No:	TRANSACTION AMOUNT	INDEX	SUB-OBJECT	USER CODE
x4	\$367,676.88	CT577106	0648	

Recommendation for Appropriation Request

Request Description	IT Capital Reserve
Requesting Agency	Department of Information Technology – IT Reserve
Funding Source	General Fund
Total Impact	\$ 119,726.00
Status	Recommended
Agenda Date	September 10, 2013

Summary of Request

Request to increase appropriation in the amount of \$119,726.00 to replenish computers for the Sheriff’s Office and to purchase an automated tape library for long-term regulatory storage and disaster recovery.

Background Information

The 2012 – 2013 biennial budget was developed with a plan to appropriate up to \$4 million over both years in IT Reserve accounts for information technology enterprise development and capital investments. The \$4 million appropriation was not included in the original budget, but has been appropriated piecemeal as the Department of Information Technology prepares each project.

2012/2013 Two Year Budget

	Appropriation limit	Appropriation as of 9/10/13	Expenditure as of 8/23/13
Enterprise Reserve	\$2 million	\$350,000	\$126,000
Capital Reserve	\$2 million	\$1,984,365*	\$1,332,770
TOTAL	\$4 million	\$2,334,365	\$1,458,770

*includes appropriation request of \$12,639 on August 27, 2013 fiscal agenda, BA1301459

The requested appropriation would provide funding for two projects:

- 1) An automated tape library \$61,616 (CSR IT130810). According to the Department of Information Technology, the tape library would support the enterprise backup environment being developed to support both the server and mid-range environments. The library is the key component of the third tier architecture in the solution. It would support the off-site tapes required for disaster recovery and long-term regulatory storage. This solution would replace older technology and non-standard backup processes in place today.
- 2) 72 workstations, 82 monitors, and supporting components totaling \$58,106 to replace equipment six or more years old at the Sheriff’s Office under the County replenishment schedule (CSR SH130662).



Recommendation for Appropriation Request

OBM Recommendation and Impact Statement

OBM recommends appropriation. The computers for the Sheriff's Office follow the County's replacement schedule. The storage would improve disaster recovery and expand long-term storage capabilities for the County. The appropriations would not exceed the amounts contemplated for IT Reserve investments this biennium. With this appropriation, the total appropriation this biennium would be \$2,454,091 of the \$4 million contemplated during budget development.

Recommendation for Appropriation Request

Request Description	Increase in Appropriation
Requesting Agency	Family and Children First Council (FC451492)
Funding Source	Defending Childhood Initiative grant for FAST program
Total Impact	\$ 22,000.00
Status	Recommended
Agenda Date	9/10/2013

Summary of Request

Request to increase appropriation totaling \$22,000.00 for the Family and Children First Council.

Background Information

The Family and Children First Council received a donation for \$22,000.00 in support of agencies Families and Schools Together (FAST) program. These funds will be used to support the implementation of the FAST program in the west side neighborhoods of Cleveland. The agreement period runs from May 13, 2013 through September 30, 2013.

OBM Recommendation and Impact Statement

The increase in appropriation will assist the Family and Children First Council in the implementation of the FAST program in the west side neighborhoods of Cleveland. FCFC will facilitate the implementation of two sessions of FAST in the west side neighborhoods of Cleveland. These duties include all administrative tasks associated with the implementation of FAST, including fiscal oversight, training, data collection and other duties as required.



MEMORANDUM

TO: Matt Rubino, Director of OBM
FROM: Laura Minning Simms, Program Officer, PSJS
SUBJECT: New Appropriations and Index Code Request
DATE: 8/8/13

PSJS has been awarded \$160,429 for the FY 2012 Juvenile Justice and Delinquency Prevention (JJDP) Title II Block Grant from the U.S. Department of Justice, Office of Justice Programs, passing through the Ohio Department of Youth Services (ODYS). This new grant is a continuation of the existing FY 2011 JJDP grant. The funds will be used to continue assisting local communities in addressing juvenile crime and delinquency.

The grant has been accepted by the County Executive and the signed notice of award is attached, as well as, the CPB approval memo with approval number CPB2013-540.

In order to facilitate the administration of the awarded funding, we are requesting appropriations in the amount of the grant award. The New Index Code and Subfund Request Form and Appropriation Request chart are attached for processing.

If you have any questions or need additional information, please contact me at 216-443-5902. Thank you.

Attachments

cc: Chuck Cavano
Maggie Keenan
Felicia Harrison
Jerry Mullins

MEMORANDUM

TO: Jeanne Schmotzer, Clerk of Council

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

DATE: September 3, 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 September 10, 2013. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

Resolution: Additional Appropriations

A. 24A640 – Family and Children First Council **BA1301344**
FC451492 - Family and Children First Council
Other Expenses \$ 22,000.00

The Family and Children First Council is requesting additional appropriation to fully appropriate the donation received from the Department of Public Safety and Justice Services /Witness/Victim for \$22,000.00 in support of agencies Families and Schools Together (FAST) program in connection with the Defending Childhood Initiative. These funds will be used to support the implementation of the FAST program in the west side neighborhoods of Cleveland. The agreement period runs from May 13, 2013 through September 30, 2013. The award was approved by the County Executive on May, 16 2013, Approval no. CON2013-38.

B. 01A001 – General Fund **BA1301465**
CT577106 – Risk and Property Management
Other Expenses \$ 531,458.00

Appropriation is requested by the Department of Public Works, Facilities Management division to pay property taxes for MetroHealth Systems properties. The parcel numbers are 008-20-001, 008-21-050, 014-17-008, and 014-17-010. This request is made in order to allow for the proper accounting of the original payment and accurately account for these tax bills in the risk and property management index code. Payment of the original obligation was made to Cuyahoga County for first half 2012 taxes on January 18, 2013. The funding source is the General Fund.

C. 01A001 – General Fund **BA1301469**
MI512780 – Information Technology Capital
Capital Outlay \$ 119,726.00

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

This request would provide appropriation to the Information Technology Capital Reserve account. Appropriation of \$58,106 would be used to purchase computers for the Sheriff's Office as part of the computer replenishment plan (CSR SH130662). Appropriation of \$61,620 would be used to purchase an automated tape library to provide a backup environment for disaster recovery and long-term regulatory storage (CSR IT130810). Funding comes from the General Fund.

D.	20A058 – Special Project II CO456111 – Special Project II	BA1301471
	Other Expenses	\$ 45,000.00
	Capital Outlay	\$ 300,000.00

The Court of Common Pleas is requesting additional appropriation to pay for items that are on the NSF list and various computer and technology expenses. This is from the Court's Special Project II Fund, a special revenue fund that is funded by fees collected by the court. The funding period is January 1, 2013-December 31, 2013.

E.	20A603 – Probate Court Special Prj PC404616 – Probate Court Special Prjs	BA1301487
	Other Expenses	\$ 25,000.00

The Probate Court is requesting additional appropriation to pay for professional fees associated with indigent guardianship. This is from the Court's Special Project Fund, a special revenue fund that is funded by fees collected by the court. The funding period is January 1, 2013-December 31, 2013.

F.	21A900 –Regional Collaboration Project JA753483-Regional Collaboration Project 2010/2013	BA1301413
	Personal Services	\$ (70,228.93)
	Other Expenses	\$ (213,222.02)
	Capital Outlays	\$ (32,549.05)

Reduce appropriations in the Regional Collaboration Project 2010/2013 as result of a award reduction and to prepare the grant for closure. Funding is from the United States Department of Homeland Security, State Homeland Security Grant Program passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through June 15, 2013

G.	21A578 –JJDP Block Grant JA758110-Cuyahoga County Title II FY2013	BA1301415
	Other Expenses	\$ 160,429.00

Establish appropriations in the Justice Services recent award of the Juvenile Justice Delinquency Prevention Block Grant (JJDP) Title II 2013/2014. The grant was accepted by the Contracts and Purchasing Board (approval CPB2013-540) on July 15, 2013. Funding is from the United States Department of Justice passed through the Ohio Department of Youth Services covering the period January 1, 2013 through June 30, 2014. No cash match is required.

H.	22A102 –CDBG Contract DV711556-Rehab Operations 98	BA1301418
	Other Expenses	\$ (74.00)

Reduce appropriations in the Community Development Block Grant, Rehab Operations 98 account to prepare the grant for closure. Funding is from the United States Department of Housing and Urban Development covering the period October 1, 1997 through September 30, 1998.

I.	40A069 – Capital Projects Future Debt Issue		BA1301511
	CC768234 – Interim Headquarters		
	Personal Services	\$	588,000.00
	Other Expenses	\$	1,426,000.00
	Capital Outlays	\$	81,000.00

Appropriation is requested for the leasehold improvements and moving expenses necessary to house county employees in temporary facilities until the New County Headquarters becomes available. County employees will have to be moved out of the existing County Administration building before the construction on the New County Headquarters is finished to enable the construction of the new County Hotel to commence on the site of the existing County Administration building. Total cost for the move is estimated to be \$2,095,000 and will be funded from excess funding from the medical mart/convention center project. The interim move costs will be included in the total cost to build the hotel on the sight of the existing County Administration building.

J.	01A001 – General Fund		BA1301505
	CT577106 – Risk and Property Management		
	Other Expenses	\$	486,000.00

Appropriation is requested by the Department of Public Works, Facilities Management division to cover two rental agreements. The Greater Cleveland Regional Transportation Authority Harvard Garage rental agreement is for the lease of storage space is located in Newburgh Heights. The amount of this agreement is \$18,000 for 12 months totaling \$216,000. The Reserve Square lease is an interim solution which will be occupied by Cuyahoga County departments until the opening of the new County Headquarters. The amount of this interim lease is \$22,000 for 10 months plus \$50,000 in utilities totaling \$270,000. The funding source is the General Fund.

Resolution: Appropriation Transfers:

A.	FROM:	21A561 – Citizens Corps Council Grant Program	BA1301472
		JA753814 – Citizen Corps Program-FFY2010-2010/2013	
		Other Expenses	\$ 2,287.63
	TO:	21A561–Citizens Corps Council Grant Program	
		JA753814 –Citizen Corp Program-FFY2010-2010/2013	
		Capital Outlays	\$ 2,287.63

Transfer appropriations within the Citizens Corps Council Grant Program to provide sufficient funds for the purchase of laptop computers. Funding is from the Ohio Emergency Management Agency covering the period August 1, 2010 through June 30, 2013.

B.	FROM:	21A218 – State SHSP-Law Enforcement (SHSPLE)	BA1301473
		JA767913 – FFY10 State Homeland-Law Enforcement 10/13	
		Other Expenses	\$ 4,185.14
	TO:	21A218–State SHSP-Law Enforcement (SHSPLE)	
		JA767913 –FFY10 State Homeland-Law Enforcement 10/13	
		Personal Services	\$ 4,185.14

Transfer appropriations within the Federal Fiscal Year 2010 State Homeland Security Grant Program-Law Enforcement 2010/2013 grant to permit adjustments for salary and fringes from the General Fund and to close out the grant. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through June 30, 2013.

C.	FROM:	21A837 – State Homeland Security	BA1301474
		JA763441 – State Homeland Security (SHSP) 2010/2013	
		Other Expenses	\$ 20,023.52
	TO:	21A837–State Homeland Security	
		JA763441 –State Homeland Security (SHSP) 2010/2013	
		Capital Outlays	\$ 20,023.52

Transfer appropriations within the State Homeland Security 2010/2013 grant to permit adjustments and to close out the grant. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2010 through June 30, 2013.

Resolution: Cash Transfers:

NONE SUBMITTED.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0197

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution making an award on RQ27992 to Specialized Construction Incorporated in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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/Department of Public Works has recommended an award on RQ27992 to Specialized Construction Incorporated (6-2) in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 – 10/31/2014; and,

WHEREAS, this project come under the Deputy Chief Approval No. DC2013-159; and

WHEREAS, the work for this project will take place in all of the Council Districts; and

WHEREAS, this project will be 100% with municipal 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 RQ27992 to Specialized Construction Incorporated (6-2) in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 – 10/31/2014.

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

Date

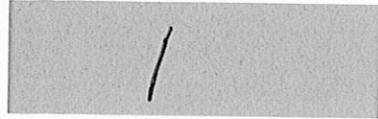
Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept. Head Name:	Thomas P. Sotak, P.E.
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Type of Request: Award Recommendation

Request Prepared by:	Juliann Conway	Telephone No.	216-348-3838
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SUMMARY OF REQUESTED ACTION:

Department of Public Works

A) SCOPE OF WORK SUMMARY

1. is recommending an award on RQ27992 to Specialized Construction Incorporated in the amount not-to-exceed \$524,500.00 for the 2013 - 2014 Countywide Maintenance Program - Crack Seal.

2. and enter into a contract with Specialized Construction Incorporated. They were determined to be the lowest qualified bidder and submitted all necessary documentation per the Bid Specifications.

PROCUREMENT

1) Competitive Bid process.

2) The Office of Procurement and Diversity (OPD) assessed a 5% SBE Goal and goal was met and approved.

3) The engineer's estimate was \$672,500.00. The bids were open on August 1, 2013.

There were six (6) proposals pulled from OPD and two (2) 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

Specialize Construction Incorporated. 216-271-3363
711 Harvard Road
Cuyahoga Heights, Ohio 44105

Principal Owner (s): John Alberty, President and John Galik, Vice President

Council District - 7

3. Work will take place in all Council Districts.

D. PROJECT STATUS AND PLANNING

1. As per specifications this is an open contract from approximately October 1, 2013 through October 31, 2013. Work will be performed upon request by the municipalities throughout Cuyahoga County.

E. FUNDING

1. 100% Municipality

This contractor has completed ethics training as required

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Project Description: The intent of this project is to perform pavement crack sealing on a requirements basis throughout Cuyahoga County for the duration of the contract. This contract expires on October 31, 2014. Municipalities will request work for one or more streets at various times throughout the contract duration. Contractor will be asked to log the existing pavement markings and provide an bases on the agreed upon contract price.

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:

\$524,500.00

ATTACHMENTS:



(OPD USE Only) Date Sent to Dept: 8-7-2013

Date Received from Dept: 8-14-2013
 OFFICE OF PROCUREMENT & DIVERSITY
 TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: August 1, 2013
 REQUISITION NUMBER: CE - 13 - 27992
 REQUISITIONING DEPT.: Public Works - Engineer
Preventive Maintenance - Crack
 COMMODITY DESCRIPTION: Seal

CONTRACT PERIOD: N/A
 NUMBER OF ITB'S SENT/RETURNED: 6/2
 ESTIMATE: \$672,500.00
 SBE GOAL: 5%

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	TO BE COMPLETED BY OPD AND USER DEPARTMENT		TO BE COMPLETED BY CONTRACT COMPLIANCE OFFICER	
											(P=PROCUREMENT; D=DEPARTMENT)			
Specialized Construction, Inc. 711 Harvard Avenue Cuyahoga Heights, Ohio 44105	Bid Bond, \$850,000.00 - State Automobile Mutual Insurance Company	N/A	P: YES - <u>OK</u> 8-6-2013 IG# 12-2573 VCF = OK NCA = OK PH = yes 2% match = yes	\$524,500.00	The C.A. Agency Cost \$50,400. 29.6%	N	N	9.6%	Y	amt 8/7/13				
Soddeiler Construction, Inc. 51722 Grand River Wixom, Michigan 48393	Bid Bond, 100% - Fidelity & Deposit Company of Maryland	N/A	P: YES - <u>OK</u> 8-6-2013 IG# <u>no*</u> VCF = OK NCA = OK PH = yes 2% match = no	\$614,000.00		N	N	0%	N	amt 8/7/13 State Deviser flagging But did not submit it and my SBE document				

CCBB: Low Non-CCBB Bid: \$ _____ -2% \$ _____ - \$ _____ Does CCBB apply? Y N (*Note: CCBB must meet all bid requirements)

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

OBM APPROVAL: _____ DATE: _____ DEPARTMENT DIRECTOR SIGNATURE: [Signature] LOW BIDDER NOTIFIED: _____
 (If actual bid exceeds estimate) DEPARTMENT DIRECTOR NAME: BOBITH G. TEELUWEN Date Signed: 8/12/13 DNo _____ DYes _____ Date: _____
 Tab sheet with SBE Updated 04/19/2013



(OPD USE ONLY) Date Sent to Dept: _____

Date Received from Dept: _____
 OFFICE OF PROCUREMENT & DIVERSITY
 TABULATION OF BIDS RECEIVED OVER \$25,000

BID DUE DATE: August 1, 2013

REQUISITION NUMBER: CE - 13 - 27992

REQUISITIONING DEPT: Public Works - Engineer

COMMODITY DESCRIPTION: Preventive Maintenance - Crack Seal

CONTRACT PERIOD
 NUMBER OF ITB'S
 SENT/RETURNED

ESTIMATE
 SBE GOAL

N/A

6/2

\$672,500.00

5%

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
Crossroads Asphalt Recycling, Inc. 13421 Hawke Road Columbia Station, Ohio 44028	Bid Bond \$732,500.00 - Western Surety Company	N/A	P: YES - ok 8/1/2013 IG# 12-1007 VCF = ok NCA = ok PH = yes 2% match = no	5732,500.00	Caver Brothers \$36,625.00 5%	N	N	5%	Y	and mm 8/7/13

CCBB: Low Non-CCBB Bid: \$ _____ +2% \$ _____ = \$ _____

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

Does CCBB apply? : Y N (*Note: CCBB must meet all bid requirements)

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

DIRECTOR SIGNATURE DEPARTMENT DIRECTOR NAME

DEPARTMENT DIRECTOR SIGNATURE DEPARTMENT DIRECTOR NAME

LOW BIDDER NOTIFIED No Yes Date: _____

Tab sheet with SBE Updated 04/19/2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0198

<p>Sponsored by: County Executive FitzGerald/Department of Public Works</p>	<p>A Resolution authorizing an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works has recommended an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; and

WHEREAS, this is one of the Auto Title Division's satellite offices to provide easy access to the public to obtain their titles for cars and boats; and

WHEREAS, the underlying lease is for approximately 2,175 square feet of retail space Board and Care contracts are mandated by the Ohio Administrative Code Section 5101:2-42-05; and

WHEREAS, this project will be funded from funds generated from the sale of Auto Titles; with the schedule of payments 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 an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

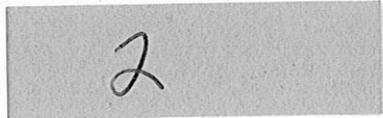
Date

Clerk of Council

Date

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

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	County Engineer	Agency/Dept.Head Name:	Jamal H. Husani
Type of Request:	Agreement/Amendment		
Request Prepared by:	John Myers	Telephone No.:	216-698-2517
SUMMARY OF REQUESTED ACTION:			
Summary of Requested Action:			
<p>The Department of Public Works exercising an amendment option to extend this lease for a Term period of 1 year from 1/1/2013 through 12/31/2013. This space has been and will continue to be used by Fiscal Officer, Auto Title Division located at 5069 Great Northern Shopping Center, Space 342, Northe Olmsted, Ohio.</p>			
B. Procurement			
N/A			
C. Contractor and Project Information			
1. The name and address of the vendor is:			
BRE DDR Great Northern LLC			
3300 Enterprise Parkway			
Beachwood, OH 44122			
D. Project Status and Planning			
<p>This is one of the Auto Title Division satellite offices to provide easy access to the public to obtain there titles for cars and boats.The underlying lease is for approximately 2,175 square feet of retail space was entered into pursuant to the RFP process. There will be a reduction in rent of approximately 38%. This space has been and will continue to be used by the Fiscal Officer, Auto Title Dibision located at 5069 Great Northern Shopping Center, Space 342, North Olmsted, Ohio.</p>			
E. Funding			
1. The project is funded by funds generated from the Great Northern (Auto Title).			
Funds will be generated from AutoTitle received. This 1 year lease extension which is in the amount of \$44,587.20. The original underlying 5 year lease was for \$350,784.72 authorized by Resolution #080741, passed February 14, 2008.			
2. The schedule of payments is by invoice.			

3. N/A

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

The late submission is due to the fact that during evaluation of sites by Fiscal Officer a decision was made late last year to not take the five year renewal that was part of the original lease expiring 12/31/12. A decision was made to do a new RFP.

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source:	Explanation:
Other	Auto Title Funds
Total Amount Requested:	
\$44,587.20	

ATTACHMENTS:

Click to download

- [W9](#)
- [Lease Agreement](#)
- [Primary Owner](#)
- [Principal Owner](#)
- [Homeland Security](#)
- [Ethics Training](#)
- [Evaluation](#)
- [Cover](#)

History
Time

Who
Office of Procurement &
Diversity

Approval



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

Contractor: DDR MDT Great Northern, LLC

Contract/Agreement No.: Contract # CE0800123-01/	Time Period: Jan 1, 2012- 12/31/2012
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Service Description:
Lease of space

Original Contract/Agreement Amount:
\$350,784.72

Prior Amendment(s) Amount(s):

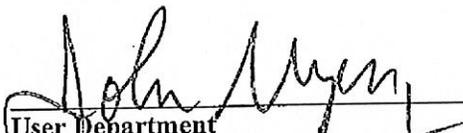
Performance Indicators:

Actual performance versus performance indicators (include statistics):

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating:
Provided serviceable space for Auto Title satellite office pursuant to lease.


User Department _____
s: evaluation *Real Estate Mgr.*

08/15/2013 _____
Date

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0199

Sponsored by: County Executive FitzGerald/Department of Development	A Resolution authorizing the issuance and sale of Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project), in an aggregate principal amount not-to-exceed \$5,000,000.00 for the purpose of providing moneys to pay costs of a “Project” within the meaning of Ohio Revised Code Chapter 165; authorizing the preparation and use of a preliminary official statement, authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a cooperative agreement, a bond purchase agreement, a bond registrar agreement and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this resolution become immediately effective.
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WHEREAS, the County of Cuyahoga, Ohio (the “County”), a county and political subdivision of the State of Ohio (the “State”), is authorized and empowered, by virtue of the laws of the State of Ohio, including, without limitation, Article VIII, Section 13 of the Ohio Constitution and Ohio Revised Code Chapter 165 (the “Act”), among other things, to issue its revenue bonds for the purpose of financing “projects” as defined in the Act, that create or preserve jobs and employment opportunities and improve the economic welfare of the people of the County and of the State; and

WHEREAS, the County has determined that it is necessary and desirable to issue its Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project) (the “Bonds”) to create and preserve jobs and employment opportunities and improve the economic welfare of the people of the County and the State, by providing funding for Steelyard West LLC to finance a project as defined in the Act consisting of the construction of approximately 100,000 square feet of retail facilities, adjacent parking and other necessary appurtenances (the “Project”) and to pay certain costs of issuance in connection with such Bonds; and

WHEREAS, the Cuyahoga County Community Improvement Corporation (the “CIC”) has certified to the County that the Project is in accordance with the plan for

the industrial, commercial, distribution and research development of the County heretofore confirmed by the County pursuant to Ohio Revised Code Section 1724.10;

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

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

“*Act*” means Ohio Revised Code Chapter 165.

“*Authorized Denominations*” means the denomination of \$5,000 or any integral multiple thereof.

“*Bond Counsel*” means Benesch, Friedlander, Coplan & Aronoff, LLP.

“*Bond proceedings*” means, collectively, this Resolution, the Final Terms Certificate, the Bond Purchase Agreement, the Bond Registrar Agreement, the Continuing Disclosure Agreement and such other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of registered owners of the Bonds.

“*Bond Purchase Agreement*” means the Bond Purchase Agreement between the County and the Original Purchaser authorized by this Resolution.

“*Bond Register*” means all the books and records necessary for the registration, exchange and transfer of the Bonds as provided in this Resolution and the Bond Registrar Agreement.

“*Bond Registrar*” means a bank or trust company authorized to do business in the State and designated by the Fiscal Officer in the Final Terms Certificate as the initial authenticating agent, bond registrar, transfer agent and paying agent until a successor Bond Registrar shall have become such pursuant to the provisions of this Resolution and the Bond Registrar Agreement and, thereafter, “*Bond Registrar*” shall mean the successor Bond Registrar.

“*Bond Registrar Agreement*” means the Bond Registrar Agreement between the County and the Bond Registrar as authorized by this Resolution.

“*Bond Service Charges*” means the principal (at stated maturity or by redemption), premium (if any) and interest required to be paid by the County on the Bonds.

“*Bond Service Fund*” means the Steelyard Commons Bond Service Fund authorized and established by this Resolution and any accounts created therein.

“*Bonds*” means the Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project) authorized by this Resolution.

“*Book entry form*” or “*book entry system*” means a form or system under which (a) the ownership of beneficial interests in Bonds and the Bond Service Charges on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the County only to a Depository or its nominee as registered owner, with the Bonds “immobilized” in the custody of the Depository. The book entry maintained by an entity other than the County is the record that identifies the owners of beneficial interests in those Bonds and that principal and interest.

“*Brownfield Bonds*” means, collectively, the County’s Taxable Economic Development Revenue Refunding Bonds, Series 2004C (Brownfield Redevelopment Project) and Taxable Economic Development Revenue Bonds, Series 2010A (Brownfield Redevelopment Project), all issued pursuant to the Brownfield Indenture.

“*Brownfield Indenture*” means the Trust Indenture dated as of October 1, 1988, as amended by the First Supplemental Trust Indenture dated as of February 1, 2004 and the Second Supplemental Trust Indenture dated as of September 1, 2010, each between the County and the Brownfield Trustee.

“*Brownfield Revenues*” means the Project Revenues as defined in the Brownfield Indenture.

“*Brownfield Trustee*” means The Huntington National Bank, as trustee under the Brownfield Indenture, and its successors and assigns.

“*Charter*” means the Charter of the County.

“*City*” means the City of Cleveland, Ohio.

“*City Payments*” means the payments to be made by the City to the County pursuant to the Cooperative Agreement.

“*Clerk*” means the Clerk of the Council.

“*Closing Date*” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

“*Code*” means the Internal Revenue Code of 1986, the regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such

applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“*Commercial Redevelopment Bonds*” means the County’s Taxable Economic Development Revenue Bonds, Series 2010B (Commercial Redevelopment Fund Project), issued pursuant to the Commercial Redevelopment Indenture.

“*Commercial Redevelopment Indenture*” means the Trust Indenture dated as of September 1, 2010 between the County and the Commercial Redevelopment Trustee.

“*Commercial Redevelopment Revenues*” means the Project Revenues as defined in the Commercial Redevelopment Indenture.

“*Commercial Redevelopment Trustee*” means The Huntington National Bank, as trustee under the Commercial Redevelopment Indenture, and its successors and assigns.

“*Continuing Disclosure Agreement*” means, the Continuing Disclosure Agreement authorized by this Resolution.

“*Cooperative Agreement*” means the Cooperative Agreement by and among the County, the City, the Developer and Steelyard Commons LLC authorized by this Resolution.

“*Council*” means the County Council of the County.

“*County*” means the County of Cuyahoga, Ohio.

“*County Executive*” means the County Executive of the County; provided, for purposes of the signing of documents, certificates and other instruments other than the Bonds and the Official Statement, County Executive includes the County Executive’s Chief of Staff as the County Executive’s designee pursuant to Executive Order No. 02011-0002.

“*Coverage Computation Period*” means the three most recent calendar years preceding the date of the certification required by Section 9(b).

“*Coverage Ratio*” means 150%.

“*Depository*” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in Bonds or the principal and interest, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“*Developer*” means Steelyard West LLC, an Ohio limited liability company.

“*Director of Law*” means the Director of Law of the County.

“*Final Terms Certificate*” means the Final Terms Certificate authorized by this Resolution to be signed by the Fiscal Officer.

“*Fiscal Officer*” means the Fiscal Officer of the County, including an interim or acting Fiscal Officer.

“*Funds*” means, collectively, the Treasurer Account and the Bond Service Fund.

“*Gateway Bonds*” means, collectively, the County’s Taxable Economic Development Revenue Bonds, Series 1992A (Gateway Arena Project), Taxable Economic Development Revenue Refunding Bonds, Series 2004A (Gateway Arena Project) and Taxable Economic Development Revenue Refunding Bonds, Series 2010C (Gateway Arena Project), all issued pursuant to the Gateway Indenture.

“*Gateway Indenture*” means the Master Indenture dated as of September 15, 1992, as amended and supplemented by the First Supplemental Trust Indenture dated as of September 15, 1992, the Second Supplemental Trust Indenture dated as of September 15, 1992, the Third Supplemental Trust Indenture dated as of February 1, 1994, the Fourth Supplemental Trust Indenture dated as of February 1, 2004 and the Fifth Supplemental Trust Indenture dated as of September 1, 2010, each between the County and the Gateway Trustee.

“*Gateway Revenues*” means the Revenues as defined in the Gateway Indenture.

“*Gateway Trustee*” means The Bank of New York Mellon Trust Company, N.A., as trustee under the Gateway Indenture, and its successors and assigns.

“*Interest Payment Dates*” means June 1 and December 1 of each year that the Bonds are outstanding, commencing December 1, 2013 unless otherwise determined by the Fiscal Officer in the Final Terms Certificate.

“*Mandatory Redemption*” means the obligation to redeem Term Bonds as provided in Section 4(e)(i) and the Final Terms Certificate.

“*Medical Mart/Convention Center Bonds*” means, collectively, the County’s Recovery Zone Economic Development Revenue Bonds, Series 2010E (Medical Mart/Convention Center Project), Recovery Zone Facility Economic Development Revenue Bonds, Series 2010F (Medical Mart/Convention Center Project) and Taxable Economic Development Revenue Bonds, Series 2010G (Medical Mart/Convention Center Project), all issued pursuant to the Medical Mart/Convention Center Indenture.

“*Medical Mart/Convention Center Indenture*” means the Trust Indenture dated as of December 1, 2010 between the County and the Medical Mart/Convention Center Trustee.

“*Medical Mart/Convention Center Revenues*” means the Project Revenues as defined in the Medical Mart/Convention Center Indenture.

“*Medical Mart/Convention Center Trustee*” means U.S. Bank National Association as trustee under the Medical Mart/Convention Center Indenture, and its successors and assigns.

“*Nontax Revenues*” means all moneys of the County that are not raised by taxation, to the extent available for payment of Bond Service Charges on the Bonds, including, but not limited to the following: (a) charges for services and payments received in reimbursement for services; (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures; (d) fees from properly imposed licenses and permits; (e) investment earnings on any funds of the County that are credited to the County’s General Fund; (f) proceeds from the sale of assets; (g) rental income; (h) grants from the United States of America and the State; (i) gifts and donations; and (j) Project Revenues; provided that Nontax Revenues do not include the Brownfield Revenues, the Commercial Redevelopment Revenues, the Gateway Revenues or Medical Mart/Convention Center Revenues.

“*Official Statement*” means, as appropriate, the preliminary official statement or the final official statement authorized by this Resolution.

“*Original Purchaser*” means Stifel, Nicolaus & Company, Incorporated.

“*Parity Obligations*” means, collectively, the Brownfield Bonds, the Commercial Redevelopment Bonds, the Gateway Bonds and the Medical Mart/Convention Center Bonds, and any bonds, notes or other obligations of or guaranties by the County secured by a pledge of the Nontax Revenues on a parity with or prior to the Bonds, except that such Parity Obligations shall not be secured by the Project Revenues.

“*Participant*” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

“*Principal Payment Dates*” means the Principal Payment Dates determined by the Fiscal Officer in the Final Terms Certificate.

“*Payment Dates*” means the Interest Payment Dates and the Principal Payment Dates.

“*Project*” means the construction of approximately 100,000 square feet of retail facilities, adjacent parking and other necessary appurtenances at the area commonly known as the Steelyard Commons.

“*Project Revenues*” means (a) the City Payments received by the County, (b) any money and investments on deposit in the Funds and (c) all income and profit from the investment of the foregoing.

“*Prosecuting Attorney*” means the Prosecuting Attorney of the County.

“*Register*” means all books and records necessary for the registration, exchange and transfer of Bonds as provided by this Resolution.

“*Rule*” means Rule 15c2-12 promulgated by the SEC pursuant to the Securities Exchange Act of 1934.

“*SEC*” means the Securities and Exchange Commission.

“*Serial Bonds*” means those Bonds, if any, designated as such and maturing on the Principal Payment Dates set forth in the Final Terms Certificate.

“*State*” means the State of Ohio.

“*Term Bonds*” means those Bonds designated as such and maturing on the Principal Payment Dates set forth in the Final Terms Certificate.

“*Treasurer Account*” means the Steelyard Commons Treasurer Account authorized and established by this Resolution.

SECTION 2. DETERMINATIONS BY COUNCIL. This Council finds and determines that the Project (i) based on the certification of the CIC, is a “project” as defined in the Act and is consistent with the purposes of Article VIII, Section 13 of the Ohio Constitution and (ii) will benefit the people of the County and of the State by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the County and the State.

SECTION 3. AUTHORIZED PRINCIPAL AMOUNT AND PURPOSE; APPLICATION OF PROCEEDS. It is necessary and determined to be in the County’s best interest to issue the Bonds in an aggregate principal amount not to exceed \$5,000,000 to pay costs of the Project and costs of the issuance of the Bonds. The aggregate principal amount of the Bonds to be issued to provide sufficient funds for those purposes (not to exceed \$5,000,000) shall be determined by the Fiscal Officer in the Final Terms Certificate. The Bonds shall be issued pursuant to this Resolution, the Final Terms Certificate, Article VIII, Section 13 of the Ohio Constitution and the Act. The proceeds from the sale of the Bonds received by the County shall be deposited into the Treasurer Account and shall be used as provided in the Cooperative Agreement. The proceeds of the sale of the Bonds are appropriated for such purpose.

SECTION 4. DENOMINATIONS; DATING; PRINCIPAL AND INTEREST PAYMENT AND REDEMPTION PROVISIONS. The Bonds shall be issued in one lot and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear interest at the rate or rates (computed on a twelve 30-day months/360-day year basis), as shall be determined by the Fiscal Officer in the Final Terms Certificate, subject to subsection (c) of this Section. Interest on the Bonds shall be payable at such rate or rates on the Interest Payment Dates until the principal amount has been paid or provided for in full. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature on the Principal Payment Dates determined by the Fiscal Officer in the Final Terms Certificate.

Consistent with the foregoing and in accordance with his determination of the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Final Terms Certificate (i) the aggregate principal amount of Bonds, to be issued as Serial Bonds, the Principal Payment Date or Dates on which those Serial Bonds, if any, shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date and (ii) the aggregate principal amount of the Bonds, to be issued as Term Bonds, if any, the Principal Payment Date or Dates on which those Term Bonds shall be stated to mature and the dates and amounts of Mandatory Redemption applicable to those Term Bonds.

(c) Condition for Establishment of Interest Rates. The net interest rate for the Bonds determined by taking into account the Principal Payment Dates and the principal amounts due on the Bonds (at stated maturity or by Mandatory Redemption) shall not exceed 9% per year.

(d) Payment of Bond Service Charges. The principal of and interest on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the Fiscal Officer or the County Executive, in the name and on behalf of the County, in connection with the book entry system.

(e) Redemption Provisions. The Bonds shall be subject to redemption prior to stated maturity as follows:

(i) *Mandatory Redemption.* If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to and redeemed pursuant to mandatory redemption on the Principal Payment Dates set forth in the Final Terms Certificate at a price equal to 100% of the principal amount of the Term Bonds to be redeemed.

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Redemption for the Term Bonds so delivered. That option shall be exercised by the County on or before the 15th day preceding any Mandatory Redemption with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the current or any subsequent Mandatory Redemption for the Term Bonds. If the certificate is not timely furnished to the Bond Registrar, the current Mandatory Redemption shall not be reduced. A credit against the then current or any subsequent Mandatory Redemption also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than by Mandatory Redemption) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Redemption for the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Redemption for the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) *Optional Redemption.* Certain maturities of Bonds may be subject to redemption by and at the sole option of the County, in whole or in part, on the dates, in the years and at the redemption prices (expressed as a percentage of the principal amount to be redeemed), plus accrued interest to the redemption date, all to be determined by the Fiscal Officer in the Final Terms Certificate provided that the redemption price shall not be greater than 103%.

Certain maturities of the Bonds may be subject to redemption by and at the sole option of the County, in whole or in part, on the dates, in the years and at a redemption price that will make the owner of such Bonds whole for the early redemption, all to be determined by the Fiscal Officer in the Final Terms Certificate.

If optional redemption of Term Bonds is to take place as of the date of any Mandatory Redemption applicable to those Term Bonds, the Term Bonds, or

portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed by operation of the Mandatory Redemption on that date. The Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Board by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

There shall be deposited with the Bond Registrar on or prior to the redemption date, money that, in addition to any other money available therefore and held by the Bond Registrar, will be sufficient to redeem the Bonds for which notice of redemption has been given.

(iii) *Partial Redemption.* If fewer than all of the Bonds are called for optional redemption at one time, they shall be called as selected by, and in a manner determined by the County. If fewer than all Bonds of a single maturity are to be redeemed, the selection of the Bonds to be redeemed, or portions thereof in Authorized Denominations, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of partial redemption of Bonds by lot when Bonds in denominations greater than \$5,000 are then outstanding, each \$5,000 unit of principal shall be treated as if it were a separate Bond of the denomination of \$5,000. If it is determined that one or more, but not all, of the \$5,000 units of principal amount represented by a Bond are to be called for redemption, then upon notice of a redemption of a \$5,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$5,000 unit or units called for redemption (including accrued interest to the redemption date), and (ii) issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination in an aggregate principal amount equal to the unmaturing and unredeemed portion, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) *Notice of Redemption.* The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register at the close of business on the fifteenth day preceding that mailing. Failure to receive

notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) *Payment of Redeemed Bonds.* Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus interest accrued to the redemption date. If money for the redemption of all of the Bonds and portions thereof to be redeemed, together with interest accrued thereon to the redemption date, is held by the Bond Registrar on the redemption date, so as to be available therefore on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If that money shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All money held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds.

SECTION 5. SIGNING AND AUTHENTICATION OF BONDS; APPOINTMENT AND DUTIES OF BOND REGISTRAR. The Bonds shall be signed by the Fiscal Officer and the County Executive, in the name of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The Bond Registrar Agreement now on file with the Clerk is approved. The Fiscal Officer and the County Executive are hereby authorized to sign and deliver, in the name and on behalf of the County, the Bond Registrar Agreement with any changes or amendments that are not inconsistent with this Resolution, are not materially adverse to the County, and are approved by the Fiscal Officer and the County Executive, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement by the Fiscal Officer and the County Executive.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled

to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 6. REGISTRATION; TRANSFER AND EXCHANGE; BOOK ENTRY SYSTEM.

(a) Register. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep at its designated corporate trust office, the Register. Except for purposes of the Continuing Disclosure Agreement, the person in whose name a Bond is registered on the Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of the Bond Service Charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any authorized denomination upon presentation and surrender at the office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at that office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any authorized denomination or denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall provide for the signing and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings, as the Bonds surrendered upon that exchange

or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice by the Bond Registrar of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. The Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (ii) the book entry interest owners in book entry form shall have no right to receive Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer and the Bond Registrar may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer and the Bond Registrar do not or are unable to do so, the Fiscal Officer and the Bond Registrar, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause bond certificates in registered form and Authorized Denominations to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer and the Bond Registrar are hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds, after determining that the signing thereof will not endanger the funds or securities of the County.

SECTION 7. SALE OF THE BONDS. The Fiscal Officer is hereby authorized to sell the Bonds at a private sale to the Original Purchaser for a purchase price of not less than 95% of the aggregate principal amount of the Bonds, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Final Terms Certificate, in accordance with law, the provisions of this Resolution and the Bond Purchase Agreement.

The Bond Purchase Agreement in the form now on file with the Clerk is approved. The Fiscal Officer and County Executive are hereby authorized to sign and

deliver, in the name and on behalf of the County, the Bond Purchase Agreement with any changes or amendments that are not inconsistent with this Resolution, are not materially adverse to the County, and are approved by the Fiscal Officer and the County Executive, all of which shall be conclusively evidenced by the signing of the Bond Purchase Agreement by the Fiscal Officer and the County Executive.

The Fiscal Officer shall sign and deliver the Final Terms Certificate and shall cause the Bonds to be prepared and signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchaser upon payment of the purchase price. Any member of this Council, the Clerk, the Fiscal Officer, the Prosecuting Attorney, the Director of Law and other County officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

SECTION 8. OFFICIAL STATEMENT, RATING, BOND INSURANCE AND CONTINUING DISCLOSURE.

(a) Official Statement. The County Executive, the Fiscal Officer and other officials of the County are authorized, on behalf of the County and in their official capacities, to prepare or cause to be prepared a preliminary official statement in connection with the original issuance of the Bonds, and to determine and certify or otherwise represent when that preliminary official statement is to be “deemed final” (except for permitted omissions) for purposes of paragraph (b)(i) of the Rule and authorize the use and distribution of the preliminary official statement. Those officials are further authorized to modify and change the preliminary official statement in order for it to be a final official statement for purposes of paragraphs (b)(3) and (4) of the Rule and to certify or represent such, use and distribute the final official statement and modify, change or supplement the final official statement as necessary or desirable. The County Executive and the Fiscal Officer are further authorized to sign, on behalf of the County and in their official capacities, the final official statement.

(b) Application for Rating, Credit Enhancement or Bond Insurance. If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies, or (ii) a policy of insurance or other credit enhancement facility from a company or companies to better assure the payment of the Bond Service Charges on the Bonds, is in the best interest of and financially advantageous to the County, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for that purpose, to determine whether to obtain such rating or policy, and to provide for the payment of the cost of obtaining each such rating or policy, except to the extent paid by the Original Purchaser in accordance with the Bond Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or

shall be appropriated for that purpose. To the extent the Fiscal Officer has taken such actions, those actions are hereby ratified and confirmed.

(c) Continuing Disclosure Agreement. For the benefit of the owners and beneficial owners from time to time of the Bonds, the County agrees, as the only obligated person with respect to the Bonds under the Rule, to provide or cause to be provided such financial information and operating data, audited financial statements and notices, in such manner, as may be required for purposes of the Rule.

The Continuing Disclosure Agreement in the form now on file with the Clerk is approved. The Fiscal Officer is authorized and directed to complete, sign and deliver, in the name and on behalf of the County, the Continuing Disclosure Agreement with such changes that are not inconsistent with this Resolution, are not materially adverse to the County, and are approved by the Fiscal Officer, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement by the Fiscal Officer.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing in accordance with the Continuing Disclosure Agreement or providing notice of the occurrence of any other events pursuant to the Continuing Disclosure Agreement, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, the Prosecuting Attorney, the Director of Law and bond or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made.

The performance by the County of its obligations pursuant to the Continuing Disclosure Agreement shall be subject to the appropriation of funds necessary for such performance.

SECTION 9. SECURITY FOR THE BONDS; COVENANTS AND REPRESENTATIONS; COOPERATIVE AGREEMENT.

(a) Special Obligations. The Bonds are special obligations of the County, and the Bond Service Charges are payable solely from the Nontax Revenues, and such payment is secured by a pledge of the Nontax Revenues. The County hereby covenants and agrees that it shall appropriate in its appropriation measure for each year the Bonds are outstanding Nontax Revenues in an amount sufficient to pay all Bond Service Charges due and payable in that year. The County further covenants and agrees that it shall deposit from time to time Nontax Revenues into the Bond Service Fund sufficient, together with amounts then on deposit in the Bond Service Fund, to pay the Bond Service Charges when due.

The payments due hereunder and under the Bonds are payable solely from Nontax Revenues, which Nontax Revenues are determined by this Council as money that is not raised by taxation. The Bonds are not secured by an obligation or pledge of any money raised by taxation. The Bonds do not and shall not represent or constitute a debt or pledge of the faith or credit or taxing power of the County, and the owners of the Bonds have no right to have taxes levied by the County for the payment of the Bond Service Charges.

Nothing herein shall be construed as requiring the County to use or apply to the payment of principal and interest on the Bonds any funds or revenues from any source other than Nontax Revenues. Nothing herein, however, shall be deemed to prohibit the County, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Resolution or of the Bonds.

(b) Covenant Regarding Parity Obligations. The County covenants that, so long as any of the Bonds are outstanding, it shall not issue any Parity Obligations unless prior to the enactment of legislation authorizing such Parity Obligations the Fiscal Officer shall have certified to this Council that the average Nontax Revenues during the Coverage Computation Period, adjusted to reflect, if appropriate or necessary, changes in the rates or charges resulting in the Nontax Revenues, will aggregate in amount not less than the Coverage Ratio of the highest amount due in any succeeding year of (i) Bond Service Charges and (ii) required payments on the proposed Parity Obligations and all outstanding Parity Obligations.

(c) Cooperative Agreement. The Cooperative Agreement on file with this Council is approved. The Fiscal Officer and the County Executive are authorized to sign and deliver, in the name and on behalf of the County, the Cooperative Agreement with any changes that are not inconsistent with this Resolution, are not materially adverse to the County and are approved by the Fiscal Officer and the County Executive, all of which shall be conclusively evidenced by the signing of the Cooperative Agreement by the Fiscal Officer and the County Executive. There is hereby created the Treasurer Account and the Bond Service Fund in the custody of the Fiscal Officer. All Assigned Service Payments (as defined in the Cooperative Agreement) received by the County from the City shall be deposited into the Bond Service Fund and used as provided in the Cooperative Agreement. Those Assigned

Service Payments are appropriated and shall be used for such purpose. The performance by the County of any of its other obligations pursuant to the Cooperative Agreement shall be subject to the appropriation of funds necessary for such performance. The Fiscal Officer is authorized to create such accounts or subaccounts in the Treasurer Account and the Bond Service Fund as the Fiscal Officer deems appropriate.

(d) Other Covenants. The County will at all times faithfully observe and perform all agreements, covenants, undertakings, stipulations and provisions to be performed on its part under this Resolution, the Continuing Disclosure Agreement, the Cooperative Agreement and the Bonds and under all proceedings of this Council pertaining thereto. The County represents that (i) it is, and upon delivery of the Bonds covenants that it will be, duly authorized by the Constitution and laws of the State including particularly and without limitation the Act, to issue the Bonds and to provide the security for payment of the Bond Service Charges in the manner and to the extent set forth herein and in the Bonds; (ii) all actions on its part for the issuance of the Bonds have been or will be taken duly and effectively; and (iii) the Bonds will be valid and enforceable special obligations of the County according to their terms. Each obligation of the County required to be undertaken pursuant to this Resolution and the Bonds is binding upon the County, and upon each officer or employee of the County as may from time to time have the authority under law to take any action on behalf of the County as may be necessary to perform all or any part of such obligation, as a duty of the County and of each of those officers and employee resulting from an office, trust or station within the meaning of Section 2731.01, Ohio Revised Code, providing for enforcement by writ of mandamus.

All books and documents in the County's possession relating to the Nontax Revenues shall be open at all times during the County's regular business hours to inspection by such accountants or other agents of the owners of the Bonds as the owners may from time to time designate.

The Clerk, or another appropriate officer of the County, shall furnish to the Original Purchaser a true transcript of proceedings, certified by that officer, of all proceedings had with reference to the issuance of the Bonds along with such information from the records as is necessary to determine the regularity and validity of the issuance of the Bonds.

SECTION 10. BOND COUNSEL. This Council hereby retains Bond Counsel in connection with the authorization, sale, issuance and delivery of the Bonds. Payment for the services of Bond Counsel shall be a cost of the issuance of the Bonds to be paid from the proceeds from the sale of the Bonds. In providing its services, as an independent contractor and in an attorney-client relationship, Bond Counsel shall not exercise any administrative discretion on behalf of the County in the formation of public policy, expenditure of funds, enforcement of laws, rules and regulations of the State or the County, or of any other political subdivision of the State, or the execution of public trusts.

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

Journal _____
_____, 2013



3

Item Details:

Agency/Dept. Name:	Department of Development	Agency/Dept. Head Name:	Larry Benders, Director
Type of Request:	Other		
Request Prepared by:	Sara Parks Jackson	Telephone No.	216-443-8160

SUMMARY OF REQUESTED ACTION:

A. Scope of Work

1. Department of Development and Benesh Friedlander Coplan & Aronoff, LLP requesting a Resolution authorizing the issuance and sale of County of Cuyahoga, Ohio Tax-Exempt Economic Development Revenue Bonds, Series 2013 (Steelyard Commons Phase II LLC Project) in a principal amount not to exceed \$6,000,000 for the purpose of assisting in financing the costs of a "Project" within the meaning of Chapter 165, Ohio Revised Code, paying capitalized interest and paying costs of issuance; providing for the pledge of revenues for the payment of such bonds; authorizing the execution of various documents required in connection with said bond issuance and authorizing and approving related matters, and declaring the necessity that this Resolution become immediately effective.
2. The primary goal of this project is to provide conduit financing through the private activity bonds for the benefit of the project known as Steelyard Commons Phase II.
3. The project is mandated by ORC Chapter 165.

B. Procurement
N/A

C. Contractor and Project Information

1. Steelyard Commons Phase II LLC
3447 Steelyard Drive
Cleveland, Ohio 44109
Council District 7

2. Bond Counsel for the project is
 Stephen Grassbaugh
 Benesh Friedlander Coplan & Aronoff, LLP

3. The location of the project is
 Steelyard Commons
 Cleveland, Ohio

D. Project Status and Planning
 The project is new to the county

E. Funding
 The project will be funded in part by the issuance of industrial revenue bonds.

This project will be heard by the Cuyahoga County Community Improvement Corporation on August 14, 2013.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

Contract/Agreement Information:

Procurement Method:

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

Financial Information:

Funding source: **Explanation:**
 Other Private Activity Bonds

Total Amount Requested:
 \$

ATTACHMENTS:

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 No Attachments Available

History	Who	Approval
Time	Clerk of the Board	



County Council of Cuyahoga County, Ohio

Resolution No. R2013-0200

Sponsored by: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management	A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Council of Cuyahoga County, Ohio, met in regular session on the 10th of September, 2013; and

WHEREAS, this County Council, in accordance with the provision of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2014; and

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

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

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

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

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

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

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

Tax Levy	Inside 10 Mill Limit	Outside 10 Mill Limit
General Fund	0.60	0
General Fund – Bond Retirement	.85	0
Health & Human Services	0	2.90
Board of Developmental Disabilities	0	3.90
Health & Welfare	0	4.80
County Library	0	2.50
	1.45	14.10

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

SECTION 4. It is necessary that this Resolution become immediately effective 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:

Committee(s) Assigned:

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	Office of Budget and Management	Agency/Dept.Head Name:	Matthew Rubino
Type of Request:			
Request Prepared by:	Millie Jones	Telephone No.	443-7220
SUMMARY OF REQUESTED ACTION:			
Accepting the 2013 Property Tax Rates for the 2014 collections as determined by the Budget Commission, authorizing the necessary tax levies and certifying them to the County Fiscal Officer.			
Legislation Pending.			
PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):			
Explanation for late submittal:			

Contract/Agreement Information:

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

Financial Information:

Funding source:	Explanation:
Total Amount Requested:	
\$	

ATTACHMENTS:

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RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES
AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

(COUNTY COUNCIL)
Revised Code, Secs. 5705.34, .35

The County Council of Cuyahoga County, Ohio,

met in _____ session on the _____ day of _____, 2013
(Regular Or Special)
at the office of _____ with the following members present:

Mr./Mrs. _____ moved the adoption of the following Resolution:

WHEREAS, This County Council in accordance with the provisions of law has
previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2014

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

RESOLVED, By the County Council of _____ Cuyahoga _____,
County, Ohio, that the amounts and rates, as determined by the Budget Commission
in its certification, be and the same are hereby accepted; and be it further

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

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

FUND	Amount to Be Derived from Levies Outside 10 M. Limitation	Amount Approved by Budget Commission Inside 10 M. Limitation	County Fiscal Officer's Estimate of Tax Rate to be Levied	
			Inside 10 M. Limit	Outside 10 M. Limit
	Column II	Column IV	V	VI
A. General Fund			0.60	
D. Road and Bridge Fund				
E. District Board of Health				
O. General Bond Retirement Fund			0.85	0.00
Q. Airport Construction Fund				
Q. Building Construction Fund				
Q. Bridge Construction Fund				
Q. Ditch Construction Fund				
Q. Sewer Construction Fund				
Q. Water Construction Fund				
Q. Incinerator Construction Fund				
Q. Road Construction Fund				
Q. Other-Miscellaneous Construction Fund				
S. Health & Human Services				2.90
S. Mental Retardation				3.90
S. Health & Welfare				4.80
S. County Library				2.50
S. Other-Miscellaneous Levy Fund				
TOTAL	\$0	\$0	1.45	14.10

**SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES**

FUND	Maximum Rate Authorized to Be Levied	Co. Fiscal Officer's Est. of Yield of Levy (Carry to Schedule A, Column II)
GENERAL FUND:		
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Current Expense Levy authorized by voters on for not to exceed _____ years.	,20	
Total General Fund outside 10m. Limitation.		
: Levy authorized by voters on for not to exceed _____ years.	,20	
: Levy authorized by voters on for not to exceed _____ years.	,20	
: Levy authorized by voters on for not to exceed _____ years.	,20	
: Levy authorized by voters on for not to exceed _____ years.	,20	
: Levy authorized by voters on for not to exceed _____ years.	,20	
: Levy authorized by voters on for not to exceed _____ years.	,20	

and be it further

RESOLVED, That the Clerk of the Council be and he/she is hereby directed to certify a copy of this Resolution to the Fiscal Officer of Said County.

Mr./Mrs. _____ seconded the Resolution and the roll being called

upon its adoption the vote resulted as follows:

Mr./Mrs. _____

Mr./Mrs. _____

Mr./Mrs. _____

Adopted the _____ day of _____, 20____.

Clerk of the County Council of

Cuyahoga County, Ohio.

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Cuyahoga County, ss.

I, _____, Clerk of the County Council

within and for said County, and in whose custody the Files and Records of said Council

are required by the Laws of the State of Ohio to be kept, do hereby certify that the

foregoing is taken and copied from the original _____

now on file with said Council, that the foregoing has been compared by me with said original and copied from the original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, 20____

Clerk of the County Council

Cuyahoga County, Ohio.

No. _____

COUNTY COUNCIL

Cuyahoga County, Ohio.

RESOLUTION
ACCEPTING THE AMOUNTS AND RATES
AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE
NECESSARY TAX LEVIES AND CERTIFYING
THEM TO THE COUNTY COUNCIL

(County Council)

Adopted _____, 20____

Clerk.

Filed _____, 20____

County Council

By _____
Deputy.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0201

Sponsored by: County Executive FitzGerald/Fiscal Officer/County Treasurer	A Resolution authorizing an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, in the amount not-to-exceed \$25,000,000.00 for the sale of tax lien certificates; 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.
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WHEREAS, Cuyahoga County has a high percentage of delinquent taxes compared to other counties in Ohio; and,

WHEREAS, the County Executive appointed a taskforce to study the collection of delinquent taxes and how best to handle this problem to ensure that schools and other local governments are not harmed by the high tax delinquency rate; and,

WHEREAS, the taskforce considered and endorsed the sale of tax certificates to deal with the County's delinquent taxes; and,

WHEREAS, the County Council considered the recommendations of the taskforce and received testimony regarding this process in an open meeting; and,

WHEREAS, the County Council concluded that it is advantageous to the County and its citizens to proceed with the sale of tax certificates to provide funding to schools and other local governments in the County who are in need of this funding; and,

WHEREAS, Ohio Revised Code Section 5721.33 authorizes the County Treasurer to negotiate the sale and transfer of tax certificates; and,

WHEREAS, the Cuyahoga County Board of Control, acting pursuant to Section 501.12(B)(15) of the Cuyahoga County Code, authorized the County Treasurer to utilize the process authorized by O.R.C. § 5721.33 for the negotiation and sale of tax certificates; and,

WHEREAS, in addition to the requirements of O.R.C. § 5721.33, the County also advertised the notice of sale of tax certificates and solicited bids on the web sites of the County Treasurer and the National Tax Lien Association's web site; and,

WHEREAS, the County Treasurer received the bids and negotiated the sale and transfer of the tax certificates pursuant to O.R.C. §5721.33; and,

WHEREAS, the County Executive, through the County Treasurer, is recommending an award on the tax certificates sale to Woods Cove III, LLC as purchaser and Lien Servicing, LLC as servicer for up to \$25,000,000.00 U.S. Dollars; and,

WHEREAS, the County Executive is requesting authorization to enter into the tax certificate sales contract consistent with the award; and,

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

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

SECTION 1. The recommended award on the sale of tax lien certificates is hereby approved to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer. The County Executive and Treasurer are hereby authorized to execute an agreement consistent with the award in the amount not-to-exceed \$25,000,000.00 U.S. Dollars.

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 _____
_____, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0202

<p>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution making an award on RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program 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.</p>
---	--

WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an award on RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2013 – 7/31/2014; and,

WHEREAS, the primary goals of the project are the management and implementation of the Universal Pre-Kindergarten supportive services components; and,

WHEREAS, the project is funded 100% by the Health and Human Services Levy 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 RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program 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

Date

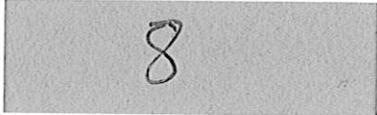
Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	Administrator's Office/Office of Early Childhood	Agency/Dept.Head Name:	Rebekah Dorman
Type of Request:	Contract/Amendment		
Request Prepared by:	Nakiaa Robinson	Telephone No.	(216) 443-6573
SUMMARY OF REQUESTED ACTION:			
Submitting a contract with Starting Point in the amount not-to-exceed \$593,038.00 for Universal Pre-Kindergarten Supportive Services for the period August 1, 2013 through July 31, 2014 .			
<p>Title: Office of Early Childhood 2013 Starting Point Contract Universal Pre-Kindergarten (UPK) Support Services A. Scope of Work Summary1. Office of Early Childhood requesting approval of a contract with Starting Point for the anticipated cost of \$593,038.00, not-to-exceed. The anticipated start-completion dates of the project are 08/01/2013- 07/31/20142. The primary goals of the project are the management and implementation of the UPK supportive services components.B. Procurement1. A Justification for Other Than Full and Open competition has been submitted separately for this contract based on RFP Exemption. Starting Point has been designated by the State of Ohio as Cuyahoga County's child care resource and referral agency and the services provided under this contract are complementary to this role and serve to leverage existing state funds. C. Contractor and Project Information1. The address of the vendor is:Starting Point 4600 Euclid Avenue, Suite 500 Cleveland, OH 44103 Council District 72. The Executive Director for the contractor/vendor is Billie Osborne-FearsD. Project Status and Planning1. The project reoccurs annually. 2. The project's term has already begun. The reason there was a delay in this request was the need to determine costs based on the need for additional support to sites with new teaching staff and increased numbers of children to be served at some sites. These changes and subsequent notification to the Office of Early Childhood were made only recently.E.</p>			

Funding1. The project is funded 100% by Health and Human Services levy funds. The overall UPK project is funded 98% by the Health and Human Services levy and 2% private grant funds. 2. The schedule of payments is monthly by invoice.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Starting Point will provide management of the Cuyahoga County Universal Pre-Kindergarten (UPK) Management Information System (MIS) and the UPK Safety Net Scholarship program; and implementation of the UPK Family Engagement, Resource Coordination, and Program Enhancement Components. Specifically, this amendment provides resources for Starting Point to provide the above named services to all public preschool UPK sites as well as all sites selected through an RFP issued in March 2012 for the 2013-2014 program year.

Explanation for late submittal:

There was a need to determine costs based on the need for additional support to sites with new teaching staff and increased numbers of children to be served at some sites.

Contract/Agreement Information:

Procurement Method:

Other

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

The increase related to the prior program year is due to the need for additional services at some UPK sites. The overall decrease is due to this contract reflecting only a 1-year period. The prior contract reflected a 4-year period.

Financial Information:

Funding source:	Explanation:
Other	Health and Human Services Levy Funds

Total Amount Requested:
\$593,038.00

ATTACHMENTS:

Click to download

- [S. P. Signature Authority](#)
- [S. P. Liability Insurance Certificate](#)
- [S. P. Workers Comp Certificate](#)
- [S. P. Auditor Search](#)
- [S. P. SOS Certificate](#)
- [Department Acknowledgement Form](#)
- [S. P. UPK Eval](#)
- [S. P. UPK Contract History](#)
- [S. P. UPK Contract Additional Resolution Numbers](#)
- [S.P. UPK Exhibits I & II](#)
- [Starting Point UPK Signed Contracts](#)
- [Exhibit III Insurance requirements](#)
- [S.P. UPK Budget 8-01-13 to 7-31-14 FINAL](#)
- [Cover TABB](#)

County of Cuyahoga
Contract Evaluation Form

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

Contractor: Starting Point
Contract No: CE 0900604-01
Time Period: August 1, 2009 through July 31, 2013

Service Description: The administration and management of the Cuyahoga County Universal Pre-Kindergarten (UPK) Management Information System and the UPK Safety Net Scholarship program; and implementation of the UPK family Engagement, Resource Coordination, and Program Enhancement components.

Original Contract Amount: \$460,410.00
Contract Amendment Amount: \$95,000.00
Contract Amendment Amount: \$590,995.00
Contract Amendment Amount: \$64,000.00
Contract Amendment Amount: \$521,376.00
Contract Amendment Amount: \$34,800.00
Contract Amendment Amount: \$24,906.00
Contract Amendment Amount: \$566,865.00
Contract Amendment Amount: \$15,030.00

Performance Indicators: Include the following:

- Develop and implement a Management Information System for the UPK program using Child Outcome, Planning, and Administration (COPA) system.
- Implement a family engagement system among the UPK sites using the Epstein model of family engagement.
- Provide resource coordination services to the UPK participating sites.
- Conduct Early Childhood Environment Rating Scale (ECERS) assessments on UPK providers and use as a basis for the development of Quality Enhancement Plans.
- Provide career-counseling services to UPK site staff engaged in or seeking to engage in professional development activities.
- Provide technical assistance to the UPK sites on all aspects of the UPK supportive services components.
- Coordinate implementation of the Bracken School Readiness Assessment
- Provide volunteer training on the use of Lit Kits in the UPK sites.
- Provide Lit Kits for use by literacy volunteers in the UPK sites.

Actual performance versus performance indicators (include statistics):

- Starting Point maintained the UPK MIS system, COPA, including adding the newly selected UPK sites to the system.
- The Starting Point Family Engagement Coordinator worked with all 35 UPK sites to develop and implement Family Engagement Plans.
- The Starting Point Resource Coordinator provided training and resource information for all UPK sites in the programs and service available to families, including coordinating the March into Kindergarten initiative.
- Samples of classrooms in all UPK sites were assessed using the ECERS.
- The UPK Career Counselor worked with all sites to ensure compliance with the staff qualification requirements of UPK.
- All programs received technical assistance visits.
- Starting Point completed initial Bracken assessments on all children enrolled in UPK, provided training/refresher training to consultants responsible for conducting the assessments, and completed the School Readiness Assessments on children entering kindergarten on the fall.
- Starting Point has conducted two Lit Kit training sessions for literacy volunteers and continues to conduct individual training sessions for incoming volunteers.

- Starting Point has supplied the Lit Kits requested by OEC.

Rating of overall performance of contractor (check one)

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

Justification of Rating:

Starting Point met all of its service requirements for the program including the provision of additional services to the new UPK sites.

Nathaniel D. Kal
User Department

8/15/13
Date

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0203

<p>Sponsored by: County Executive FitzGerald/Department of Health and Human Services/ Division of Community Initiatives/Family and Children First Council</p>	<p>A Resolution making an award on RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for Out-of-School Time and Transition Services for the period 9/1/2013 - 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>
--	--

WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council has recommended an award on RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for out of school time and transition services for the Out-of-School Time Program for the period of 9/1/2013 – 9/30/2014; and,

WHEREAS, the primary goals of this project are to: a) provide out-of-school services, which includes after-school and summer programming for children and teenagers; b) professional development for youth serving workers; c) tutoring services; d) kindergarten readiness services; e) Scenarios USA; f) data collection; and g) college access programming for high school junior and seniors; and,

WHEREAS, the project is funded 100% by the Health and Human Services Levy 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 RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for out of school time and transition services for the Out-of-School Time Program for the period of 9/1/2013 – 9/30/2014.

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

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

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

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

Yeas:

Nays:

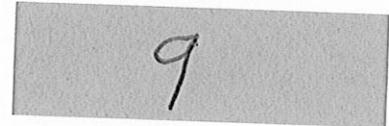
County Council President		Date

County Executive		Date

Clerk of Council		Date

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

Journal _____
_____, 20__



Item Details:

Agency/Dept. Name:	Administrator's Office/Family and Children First Council	Agency/Dept. Head Name:	Robin R. Martin
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Type of Request: Contract/Amendment

Request Prepared by:	Robin R. Martin	Telephone No.	216-443-7239
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SUMMARY OF REQUESTED ACTION:

Submitting a contract with Child Care and Resource Center of Cuyahoga County (Starting Point) in the amount not-to-exceed \$1,600,000.00 for Out-of-School Time and Transition Services for the period September 1, 2013 to September 30, 2014.

Title: Family and Children First Council, 2013, Child Care and Resource Center of Cuyahoga County, Contract, Countywide Out-of-School Time.

A. Scope of Work Summary:

1. Family and Children First Council, requesting approval of a contract with Child Care and Resource Center of Cuyahoga County (Starting Point) for the anticipated additional cost of \$1,600,000.00. The anticipated start-completion dates are 9/01/2013-03/30/2015.**2.** The primary goals of the project are:

1. Provide out-of-school services, which includes after-school and summer programming for children and teenagers
2. Professional development for youth serving workers
3. Tutoring services
4. Kindergarten readiness services
5. Scenarios USA
6. Data collection
7. College access programming for high school junior and seniors

B. Procurement

- 1.** The procurement method for this project an exemption request because Starting Point is

the agency designated by the Ohio Department of Jobs and Family Services (ODJFS) to serve as the child care and out-of-school time resource and referral agency in Cuyahoga County.**C. Contractor and Project Information**

1. The address of the vendor is:

Starting Point

4600 Euclid Avenue, Suite 500

Cleveland, Ohio 44103**2.** The Executive Director for vendor is Billie Osborne-Fears.

3. The project is County wide. Starting Point released an RFP to select 28 communities in 2012 - 11 City of Cleveland neighborhoods, 11 inner-ring suburban communities, and 6 outer ring suburban communities. With the approval of the FCFC office, Starting Point has the option to re-release an RFP to fill service gaps that still exist.

D. Project Status and Planning

1. The project reoccurs annually.

E. Funding

1. The project is funded 100% by the Health and Human Services Levy.

2. The schedule of payments is by invoice.

PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):

Explanation for late submittal:

Contract delayed to have midyear budget meeting and to receive State award letter.

Contract/Agreement Information:

Procurement Method:

Competitive Bid

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

.06% increase to augment direct services to children and families.

Financial Information:

Funding source: Explanation:

Other HHS Levy funding

Total Amount Requested:

\$1,600,000.00

ATTACHMENTS:

Click to download

- [Auditor of State Unresolved Finding for Recovery Certification Search](#)
- [Auditor of State Unresolved Finding for Recovery Certification Search](#)
- [ODJFS Grant Award Letter](#)
- [OST - Certificate of Insurance Liability](#)
- [Secretary of State Business Filing Certificate](#)
- [OST Principal Owner](#)
- [OST Signature Authority](#)
- [Worker's Compensation Certificate](#)
- [Additional Contract List](#)

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

Contractor: Child Care and Resource Center of Cuyahoga County (Starting Point)

Contract/Agreement No.: CE1100531-01 & 02 **Time Period:** 10/1/2011-8/31/13

Service Description: Out-of-School Time and Transition Services

Original Contract/Agreement Amount: \$1,000,000.00

Prior Amendment(s) Amount(s): \$1,500,000.00

Performance Indicators: Providing out-of-school time programming for 28 communities, implementing the Youth Program Quality Assessment (YPQA) and Social Solutions Efforts-to-Outcome data collection process, providing professional development for youth workers, tutoring programs that support academic improvement, transition services that include supporting a child's transition into kindergarten and college access services and Scenarios USA.

Actual performance versus performance indicators (include statistics): Since its inception OST Programs funded/contracted with 98 (unduplicated) community-based OST programs serviced a total of 14,284 duplicated and 12,545 unduplicated youth. Provided OST referral hot-line/website information to 8,879 parents/or youth. Served 3,486 families (of children going to kindergarten) received assistance from 211's Transition to Kindergarten Registration Call Center during 2012. Scenario's USA received over 2,500 entries for the film-writing contest.

Rating of Overall Performance of Contractor (Check One):

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

Justification of Rating: All contract deliverables were met. OST services expanded countywide. The outcome database and YPQA were launched countywide. We are ready to

Robin R. Martin

August 6, 2013

User Department

Date

s: evaluation

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0179

Sponsored by: County Executive FitzGerald/Department of Public Works	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.
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WHEREAS, Cuyahoga County engaged the services of Allegro Realty Advisors (“Allegro”) to conduct an audit of the County’s real-estate needs and come forth with a set of recommendations for the County; and,

WHEREAS, Allegro recommended that the County place 13 properties then owned by the County for sale, including the Marion Building, Superior Auto Title Building and Hamilton Garage; and,

WHEREAS, the County engaged the services of CBRE, Inc. (“CBRE”), a commercial real estate services firm, to serve as the real estate portfolio program manager, provide brokerage services, and represent the County in connection with the real estate portfolio program; and,

WHEREAS, CBRE worked with the County to prepare and issue a request for proposals, RFP # 24534, (the “RFP”) for the real property consolidation project in accordance with the County’s Contracting and Purchasing Procedures Ordinance; and,

WHEREAS, the County received a proposal from Weston Inc., to purchase the land and all buildings and improvements commonly known as the Marion Building, Superior Auto Title Building, and Hamilton Garage (collectively “Properties”) located at 1276 West Third Street, Cleveland, 44113; 1261 Superior Avenue, Cleveland, 44114; and 1801 St. Clair Avenue, Cleveland, 44114, respectively; and,

WHEREAS, the proposal is to sell the Properties for \$3,420,000.00; and,

WHEREAS, the County is to also lease the Marion Building for at least 3 years for \$83,990.05 per month in rent (the rent includes utilities and the cost to operate and maintain the building); and,

WHEREAS, the County is to also lease the Superior Auto Title Building for at least one year for \$24,022.67 per month in rent (the rent includes the cost to operate and maintain the building) and approximately \$8,583.33 per month in utilities; and,

WHEREAS, the County is also to lease the Hamilton Garage for up to six months for \$19,079.16 per month in rent (the rent includes the cost to operate and maintain the building) and approximately \$2,666.00 per month in utilities; and,

WHEREAS, Weston, Inc. is responsible for all costs associated with repairs to the roof and structural portions of the property and mechanical, electrical, plumbing, and other building systems and for the cost of materials associated with ordinary and necessary maintenance and repairs; and,

WHEREAS, the County will provide the labor for such ordinary and necessary maintenance and repairs during the term; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby awards the sale of the Properties to Weston Inc. and authorizes the County Executive to enter into a Purchase and Sale Agreement and Leases with Weston Inc. (or one of its affiliated entities) for same.

SECTION 2. That the County Executive or his authorized designee is authorized to (a) take all actions, and to execute, acknowledge, deliver and/or file for record (as and where appropriate) (i) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, a Purchase and Sale Agreement, the lease agreements and all documents to be executed by the County thereunder, and all financing-related documents (including but not limited to subordination, non-disturbance and attornment agreements, pledges, and security agreements), (ii) all other and further documents, instruments, certificates, agreements, amendments, assignments, subleases, consents, affidavits, certifications, disbursement authorizations, settlement statements, closing statements, proration statements, escrow agreements, escrow instructions, and notices, and (iii) amendments, modifications and supplements to any of the foregoing, that the County Executive may deem necessary or advisable in connection with the consummation of the transactions contemplated hereby, in all

cases containing such terms and conditions as may be approved by the County's Director of Law, (b) agree to such payments, prorations, credits, deposits, holdbacks, escrows and other arrangements as may be necessary or advisable in connection therewith to facilitate and/or consummate such transactions, and (c) prosecute and/or defend any actions or proceedings that may be necessary or advisable relative to any of the foregoing matters.

SECTION 3. That the Director of Public Works is authorized to administer the project through its milestones and be responsible for any ongoing approval rights under the Lease.

SECTION 4. That all documents to be executed in connection with the transactions contemplated herein be subject to the Law Director's approval as to legal form and correctness.

SECTION 5. It is necessary that this Resolution become immediately effective for the usual daily operation of the County, the preservation of public peace, health, or safety in the County, and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: August 13, 2013

Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: September 10, 2013

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0190

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	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.
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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: August 27, 2013
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC011
September 10, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0191

Sponsored by: County Executive FitzGerald/Department of Public Works	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 th 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.
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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 12th 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 12th 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: August 27, 2013

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

Journal CC011

September 10, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0193

Sponsored by: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management	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.
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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

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0194

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	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.
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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 medical 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 medical 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.

[PROPOSED AMENDMENT]

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0194

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	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.
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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 medical 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~~ **10/1/2013 - 9/30/2015**.
- 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 medical 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~~ **10/1/2013 - 9/30/2015**.
- 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: August 27, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Amended on the Floor: September 10, 2013

Journal CC011
September 10, 2013

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0195

Sponsored by: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services	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.
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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-

First Reading/Referred to Committee: August 27, 2013
Committee(s) Assigned: Health, Human Services & Aging

Journal CC011
September 10, 2013

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0018

Sponsored by: County Executive FitzGerald/Department of Law and Councilmember Jones	An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's risk management procedures and insurance requirements and repealing Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 in conformity therewith; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Department of Law's Risk Management Division has been working on developing risk management practices, including performance bond requirements, to simultaneously promote the County's interest in contracting with small businesses and protect the County against risk;

WHEREAS, it is necessary to enact legislation to deviate from the rigid performance bond requirements under state law and to provide the Law Department with the flexibility to make performance bond and insurance determinations as appropriate for each individualized case; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by the County can continue.

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

SECTION 1. Chapters 507 and 508 of the Cuyahoga County Code are hereby enacted as follows:

Chapter 507: Risk Management Procedures

Section 507.01 Risk Management Measures

(A) Risk Management Requirements

The Law Department, in coordination with the Office of Procurement and Diversity, shall determine the appropriate risk management protections for county contracts, including, but not limited to, all insurance and performance bond requirements. All such risk management protections shall be subject to the review and approval of the contract approval authority that has jurisdiction over the award of the contract.

(B) Small Business Considerations

In formulating the appropriate risk management protections applicable to county contracts, the Law Department shall give deference to the County’s interest in contracting with small businesses without causing undue risk to the County or the small businesses.

Section 507.02: Performance Bond Requirements

Notwithstanding any provisions in the Ohio Revised Code, Ohio Administrative Code, or any other law or regulation to the contrary, the County shall have the discretion to determine whether to require performance bonds, and the amounts of any such bonds, on a contract-by-contract basis, including all construction contracts, in formulating the appropriate risk management measures for county contracts.

Chapter 508: County’s Insurance Requirements

Section 508.01: Insurance Requirements

The Director of Law, through the Law Department’s Risk Management Division, shall determine the County’s insurance needs and requirements, including all insurance requirements related to County contracts.

Section 508.02: Updates to County’s Insurance Requirements

The Director of Law, through the Law Department’s Risk Management Division, shall continually update the County’s insurance requirements as necessary to protect the County’s interests.

SECTION 2. Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 of the Cuyahoga County Code are hereby repealed.

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

SECTION 4. It is found and determined that all formal actions of this Council 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: July 23, 2013

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

Journal _____
_____, 20__