

**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, FEBRUARY 11, 2014**  
**CUYAHOGA COUNTY JUSTICE CENTER**  
**COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR**  
**5:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
  - a) January 21, 2014 Committee of the Whole Meeting (See Page 11)
  - b) January 23, 2014 Committee of the Whole Meeting (See Page 14)
  - c) January 28, 2014 Committee of the Whole Meeting (See Page 16)
  - d) January 28, 2014 Regular Meeting (See Page 19)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**
  - a) R2014-0035: A Resolution confirming the County Executive's appointment of Mark A. Parks, Jr. upon his taking the oath of office as Fiscal Officer of Cuyahoga County, and declaring the necessity that this Resolution become immediately effective. (See Page 38)

Sponsors: Councilmembers Connally and Conwell

- b) R2014-0036: A Resolution confirming the County Executive's appointment of various individuals to serve on the Cuyahoga Arts and Culture Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 46)
  - 1) Joseph P. Gibbons, Esq. for an unexpired term ending 3/31/2015.
  - 2) Eliza Wing for the term 4/1/2014 - 3/31/2017.

Sponsors: Councilmembers Connally and Conwell

- c) R2014-0047: A Resolution confirming the County Executive's appointment of Glenn Coyne to serve on the Northeast Ohio Areawide Coordinating Agency Board of Directors, and declaring the necessity that this Resolution become immediately effective. (See Page 57)

Sponsors: Councilmembers Connally and Conwell

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

- a) R2014-0027: A Resolution confirming the County Executive's reappointment of Nick Nardi to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for the term 3/1/2014 - 2/28/2017, and declaring the necessity that this Resolution become immediately effective. (See Page 63)

Sponsors: Councilmembers Connally, Conwell and Rogers

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

- b) R2014-0028: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cuyahoga County Planning Commission for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 65)
  - 1) Appointments:
    - i) The Honorable Merle S. Gorden (Hillcrest Region) for an unexpired term ending 12/31/2014.

- ii) The Honorable Sherri A. Lippus (Southwest Region) for an unexpired term ending 12/31/2015.

2) Reappointment:

- i) The Honorable Eileen A. Patton (Westshore Region) for the term 1/1/2014 - 12/31/2016.

Sponsors: Councilmembers Connally and Conwell

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

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

- a) Q2014-0004: An Ordinance amending and replacing Chapter 701 of the Cuyahoga County Code, incorporating Chapters 706 and 707 of the Cuyahoga County Code into Chapter 701, and renumbering existing Chapters of Title 7 of the Cuyahoga County Code where appropriate to enact a comprehensive set of financial policies for Cuyahoga County. (See Page 68)

Sponsor: Councilmember Miller

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

- a) R2014-0037: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 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 84)

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

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

- a) R2014-0030: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 58 employees in 6 classifications in the Department of Public Works/Division

of Maintenance (Sewer) for the period 1/1/2013 - 12/31/2015; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 100)

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

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

- a) R2014-0038: A Resolution declaring that public convenience and welfare requires resurfacing of Bennett Road from Edgerton Road to just south of Bridgewater Drive in the City of North Royalton; total estimated project cost \$1,580,669.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective. (See Page 103)

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

- b) R2014-0039: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5018 for rehabilitation of East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; and declaring the necessity that this Resolution become immediately effective. (See Page 108)

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

- c) R2014-0040: A Resolution authorizing a Purchase and Sale Agreement with Playhouse Square Foundation in the amount of \$1.00 for the sale of County-owned property commonly known as the Loew's Building, located at 1501 Euclid Avenue, Cleveland; authorizing termination of the Indenture of Lease Agreement, as amended; 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 114)

Sponsor: County Executive FitzGerald/Department of Public Works

- d) R2014-0041: A Resolution authorizing an agreement with City of Olmsted Falls for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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 119)

Sponsor: County Executive FitzGerald/Department of Human Resources

- e) R2014-0042: A Resolution authorizing an amendment to Contract No. CE1200705-01 with Hylant Group, Inc. for insurance brokerage and risk management services and premiums for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$888,000.00; 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 122)

Sponsor: County Executive FitzGerald/Department of Law

- f) R2014-0043: A Resolution making an award on RQ28759 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship Services for the period 1/1/2014 - 12/31/2014; 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 Senior and Adult Services

- g) R2014-0044: A Resolution authorizing an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$682,276.00 for the MomsFirst Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 137)

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

- h) R2014-0045: A Resolution authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 144)

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

- i) R2014-0046: A Resolution authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$906,000.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 151)

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

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

- a) R2014-0031: A Resolution making an award on RQ28818 to Karvo Paving, Co. in the amount not-to-exceed \$8,372,654.20 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road intersection in the City of Shaker Heights and Village of Highland Hills; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$418,632.71 to fund said contract; and declaring the necessity that this Resolution become immediately effective. (See Page 158)

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

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

- b) R2014-0034: A Resolution authorizing the issuance of not-to-exceed \$11,955,000.00 County of Cuyahoga, Ohio Economic Development Revenue Refunding Bonds, Series 2014 (Cleveland Hearing and Speech Center Project), for the purpose of refunding the outstanding principal amount of County of Cuyahoga, Ohio Tax-exempt Variable Rate Economic Development Revenue Bonds, Series 2008 (Cleveland Hearing and Speech Center Project), that were issued to provide funds to assist the Cleveland Hearing and Speech Center in financing costs of a project consisting generally of the acquisition, construction, improvement, furnishing and equipping of real and personal property consisting of an approximately 48,000 square foot headquarters and operations facility located at 11635 Euclid Avenue, Cleveland, Ohio; authorizing the execution and delivery of a loan agreement and trust indenture; authorizing the execution and delivery of a bond purchase agreement and authorizing the execution and delivery of certain other documents and actions in connection with the issuance of such bonds; and declaring the necessity that this Resolution become immediately effective. (See Page 161)

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Thompson Hine LLP

Committee Assignment and Chair: Economic Development & Planning – Schron

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

- a) R2014-0008: A Resolution authorizing a payment in the amount of \$350,000.00 to L.A.N.D Studio, Inc. for operational support of the Group Plan Commission; authorizing the County Executive to negotiate and execute any necessary contract or other documents for same; and declaring the necessity that this Resolution become immediately effective. (See Page 169)

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Council Operations & Intergovernmental Relations – Greenspan

- b) R2014-0015: A Resolution approving the appropriation of funds for Year 2014 based on the Statement of Appropriation Status dated 12/31/2013, and declaring the necessity that this Resolution become immediately effective: (See Page 175)

- 1) Free balances for grants and capital projects;
- 2) Encumbrances for grants and capital projects; and
- 3) Encumbrances for all other funds.

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

Committee Assignment and Chair: Finance & Budgeting – Miller

- c) R2014-0032: A Resolution authorizing an agreement with City of Highland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 2/1/2014 - 12/31/2016; 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 177)

Sponsor: County Executive FitzGerald/Department of Human Resources

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

- d) R2014-0033: A Resolution authorizing an agreement with City of University Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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 179)

Sponsor: County Executive FitzGerald/Department of Human Resources

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

## **17. CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION**

- a) R2013-0294: A Resolution authorizing an Economic Development Fund Large Scale Attraction Loan in the amount not-to-exceed \$805,000.00 to Remedi SeniorCare of Ohio-Northeast, LLC for relocation and expansion of a facility located at 26251 Bluestone Boulevard, Euclid; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 181)

Sponsors: County Executive FitzGerald/Department of Development and Councilmember Simon

- b) R2014-0014: A Resolution providing for adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective. (See Page 184)

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

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

- a) O2014-0005: An Ordinance amending Section 107.01 of the Cuyahoga County Code to streamline the process for oaths and affirmations, and declaring the necessity that this Ordinance become immediately effective. (See Page 229)

Sponsor: County Executive FitzGerald/Department of Law

#### **19. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING**

- a) O2014-0003: An Ordinance amending Cuyahoga County Code Chapter 506: Procurement Card Program Policies and Procedures to approve revised Cuyahoga County Procurement Card Program Policies and Procedures, effective 3/1/2014; and declaring the necessity that this Ordinance become immediately effective. (See Page 232)

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

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

#### **20. CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION**

- a) O2014-0002: An Ordinance amending Cuyahoga County Code Chapter 503: Small Business Enterprise Program Policies and Procedures to approve revised Cuyahoga County Small Business Enterprise Program Policies and Procedures, effective 2/15/2014; and declaring the necessity that this Ordinance become immediately effective. (See Page 242)

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

**21. MISCELLANEOUS COMMITTEE REPORTS**

**22. MISCELLANEOUS BUSINESS**

**23. PUBLIC COMMENT UNRELATED TO AGENDA**

**24. ADJOURNMENT**

NEXT MEETINGS

COMMITTEE OF THE WHOLE MEETING: TUESDAY, FEBRUARY 25, 2014  
3:00 PM / COUNCIL CHAMBERS

REGULAR MEETING: TUESDAY, FEBRUARY 25, 2014  
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, JANUARY 21, 2014  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
3:00 PM**

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

**Council President Connally called the meeting to order at 3:03 p.m.**

### **2. ROLL CALL**

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

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

**The following citizens addressed the Committee regarding issues of concern to them relating to the Resolution No. R2014-0002, a Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes :**

- (a) Mr. Timothy J. Russo**
- (b) Mr. Roldo Bartimole**
- (c) The Honorable Marty Gelfand, City of South Euclid Councilmember**
- (d) Mr. Josh Damankos**
- (e) Mr. Norman Narvaja**

### **4. PRESENTATIONS REGARDING PROPOSED EXTENSION OF ALCOHOL AND CIGARETTE EXCISE TAXES**

**Mr. Joseph Roman, President and CEO of the Greater Cleveland Partnership; Mr. Tim Offermat, Chairman of the Gateway Economic Development Corporation; Mr. Kenneth Silliman, Chief of Staff to City of Cleveland Mayor Frank Jackson; Mr. Dennis Lehman, Executive Vice President of the Cleveland Indians; Mr. Len Komoroski,**

CEO of the Cavaliers/Quicken Loans Arena; and Mr. David Jenkins, CFO of the Cleveland Browns, addressed the Committee regarding the proposed extension of alcohol and cigarette excise taxes. Discussion ensued. Councilmembers asked questions pertaining to the item, which were answered accordingly.

5. ITEM REFERRED TO COMMITTEE / PUBLIC HEARING AT 4:45 PM

- a) R2014-0002: A Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes for the purpose of paying the costs of constructing, renovating, improving, or repairing sports facilities and reimbursing a county for costs incurred by the county in the construction of sports facilities.

Clerk Schmotzer read Resolution No. R2014-0002 into the record.

A proposed amendment was then introduced on the floor at the request of the Department of Law. Discussion ensued. A motion was then made by Mr. Jones, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2014-0002 by adding a new Section 2 to read as follows and to renumber all subsequent sections accordingly:

*“If the ballot measure in Section 1 receives a majority affirmative vote, as is necessary for its passage, the levied tax shall go into effect beginning August 1, 2015, for the duration and at the rates provided for in Section 1 and approved by the voters.”*

On a motion by Ms. Conwell with a second by Mr. Jones, Resolution No. R2014-0002 was considered and approved by unanimous to be referred to the full Council agenda for second reading, as amended.

A brief recess was taken by the Committee. Council President Connally then convened the public hearing relating to Resolution No. R2014-0002 at 4:46 p.m.

The following citizens testified before the Committee regarding their support of Resolution No. R2014-0002:

- (a) Mr. Michael Deemer, Vice President of Business Development for Downtown Cleveland Alliance  
(b) Mr. David Wondolowski, representing the Cleveland Building and Construction Trades

Mr. Josh Damankos testified before the Committee regarding his opposition to Resolution No. R2014-0002.

**With no further testimony, Council President Connally adjourned the public hearing at 4:57 p.m.**

6. MISCELLANEOUS BUSINESS

**There was no miscellaneous business.**

7. PUBLIC COMMENT UNRELATED TO AGENDA

**No public comments were given unrelated to the agenda.**

8. ADJOURNMENT

**With no further business to discuss, the meeting was adjourned by Council President Connally at 4:58 p.m., without objection.**



## **MINUTES**

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING  
THURSDAY, JANUARY 23, 2014  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
2:00 PM**

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

**Council Vice-President Brady called the meeting to order at 2:03 p.m.**

### **2. ROLL CALL**

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

**A motion was then made by Mr. Schron, seconded by Mr. Miller and approved by unanimous vote to excuse Council President Connally from the meeting.**

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

**The following citizens addressed the Committee regarding issues of concern to them relating to Resolution No. R2014-0002, a Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes:**

- a) Mr. Mike Burns, Positively Cleveland**
- b) Dr. Jon Steinbrecher, Commissioner, Mid-American Conference**
- c) Mr. Dave Wondolowski, Executive Secretary, Cleveland Building and Construction Trades Council**
- d) Mr. Joe Marinucci, President, Downtown Cleveland Alliance**
- e) Mr. Zack Bruell, Chef and business owner**
- f) Mr. Don Scipione**

4. PRESENTATIONS REGARDING PROPOSED EXTENSION OF ALCOHOL AND CIGARETTE EXCISE TAXES

**Mr. Kevin Kelly, City of Cleveland Council President; Mr. Tim Offtermat, Gateway Economic Development Corporation Chairman; Mr. Kenneth Silliman, Chief of Staff to City of Cleveland Mayor Frank Jackson; Mr. Dennis Lehman, Executive Vice President of the Cleveland Indians; Mr. Len Komoroski, CEO of the Cavaliers/Quicken Loans Arena; and Mr. David Jenkins, CFO of the Cleveland Browns, addressed the Committee regarding the proposed extension of alcohol and cigarette excise taxes. Discussion ensued. Councilmembers asked questions pertaining to the item, which were answered accordingly.**

5. ITEM REFERRED TO COMMITTEE

- a) R2014-0002: A Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes for the purpose of paying the costs of constructing, renovating, improving, or repairing sports facilities and reimbursing a county for costs incurred by the county in the construction of sports facilities.

**Clerk Schmotzer read Resolution No. R2014-0002 into the record, after which no legislative action was taken.**

6. MISCELLANEOUS BUSINESS

**There was no miscellaneous business.**

7. PUBLIC COMMENT UNRELATED TO AGENDA

**The following citizens addressed the Committee regarding issues of concern to them relating to Resolution No. R2014-0002, a Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes:**

- a) **Mr. Don Scipione**
- b) **Mr. Josh Damankos**

8. ADJOURNMENT

**With no further business to discuss and on a motion by Mr. Germana with a second by Mr. Rogers, the meeting was adjourned at 4:41 p.m., without objection.**



## **MINUTES**

**CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING  
TUESDAY, JANUARY 28, 2014  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
3:30 PM**

**1. CALL TO ORDER**

**Council President Connally called the meeting to order at 3:30 p.m.**

**2. ROLL CALL**

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

**3. PUBLIC COMMENT RELATED TO AGENDA**

**[Note: Item No. 3 was taken out of order and considered after Item No. 4 on the agenda.]**

**The following citizens addressed Council regarding issues of concern to them relating to Resolution No. R2014-0002, a Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes:**

- a) Mr. Timothy Russo**
- b) Mr. Tim Berkley, representing IATSE Local 27**
- c) Mr. Terry Joyce, representing Laborers Local 310**
- d) Mr. David Gilbert, President and CEO of Positively Cleveland**
- e) Mr. John Granzier, owner of the Cleveland Bar and Grill**
- f) Mr. Ari Maron, representing MRN LTD.**
- g) Pastor Aaron Philips, representing the Baptist Minister Conferences**
- h) Mr. Josh Damankos**
- i) The Honorable Kevin Conwell, City of Cleveland Councilmember**
- j) The Honorable Kevin Kelley, City of Cleveland Council President**

#### 4. PRESENTATION

- a) Update on Emerald Cities Cleveland/Cuyahoga County Projects and Initiatives – Shanelle Smith, Director

**Ms. Shanelle Smith, RENEW Program Director and Director of Emerald Cities Cleveland/Cuyahoga County, and Mr. Eric Small, RENEW Program Manager, provided Council with an overview of the RENEW program and an update on various energy efficiency projects. Discussion ensued.**

**Councilmembers asked questions of Ms. Smith and Mr. Small pertaining to the items, which they answered accordingly.**

#### 5. ITEM REFERRED TO COMMITTEE / PUBLIC HEARING AT 4:45 PM

- a) R2014-0002: A Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes for the purpose of paying the costs of constructing, renovating, improving, or repairing sports facilities and reimbursing a county for costs incurred by the county in the construction of sports facilities.

**County Executive FitzGerald addressed Council in support of Resolution No. R2014-0002. Discussion ensued.**

**A brief recess was taken by Council. Council President Connally then convened the public hearing relating to Resolution No. R2014-0002 at 4:45 p.m.**

**The following citizens testified before the Council regarding their support of Resolution No. R2014-0002:**

- a) Mr. Dan Pocek, former Mayor of the City of Bedford
- b) Mr. Rocco Whalen, chef and business owner

**Mr. Josh Damankos then testified before the Committee regarding his opposition to Resolution No. R2014-0002.**

**With no further testimony, Council President Connally adjourned the public hearing at 4:51 p.m.**

**Mr. Thomas Yablonsky, Executive Director of the Historic Gateway Neighborhood Corporation, addressed Council regarding Resolution No. R2014-0002. Discussion ensued.**

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

**Clerk Schmotzer read Resolution No. R2014-0002 into the record.**

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2014-0002 was considered and approved by unanimous vote to be referred to the full Council agenda for third reading.**

**6. MISCELLANEOUS BUSINESS**

**There was no miscellaneous business.**

**7. PUBLIC COMMENT UNRELATED TO AGENDA**

**No public comments were given unrelated to the agenda.**

**8. ADJOURNMENT**

**With no further business to discuss, Council President Connally adjourned the meeting at 4:57 p.m., without objection.**



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, JANUARY 28, 2014  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
5:00 PM**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**Council President Connally requested a moment of silent meditation for all who need warmth and shelter.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**Mr. Josh Damankos addressed Council regarding issues of concern to him relating to Resolution No. R2014-0002, a Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes.**

**6. APPROVAL OF MINUTES**

- a) January 14, 2014 Regular Meeting

b) January 21, 2014 Special Meeting

**A motion was made by Mr. Germana, seconded by Mr. Miller and approved by unanimous vote to approve the minutes of the January 14, 2014 regular meeting and January 21, 2014 special meeting.**

**7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**

**There were no announcements from Council President Connally.**

**Ms. Simon announced that there will be a Heroin Summit on Wednesday, February 5, 2014 at 7:00 p.m. at the Beachwood Community Center to address the heroin epidemic in Cuyahoga County.**

**8. MESSAGES FROM THE COUNTY EXECUTIVE**

County Executive FitzGerald reported the following:

- 1) Expressed support for extending the excise tax and discussed potential issues if the extension is not passed;**
- 2) Thanked all of the County employees who worked today due to adverse weather conditions;**
- 3) Announced that demolition of the old County Administration has begun; and**
- 4) The Consumer Affairs Department will host a series of public events related to identifying and reporting tax fraud. There was an event scheduled today, but it had to be rescheduled due to weather conditions.**

**9. RECEIPT OF RESIGNATION FROM DISTRICT 10 COUNCILMEMBER JULIAN ROGERS**

**[Note: Item No. 9 was taken out of order and considered after item No. 17.a) on the agenda.]**

**Mr. Rogers read a prepared statement and then thanked Councilmembers and County Executive FitzGerald for their hard work and leadership.**

**Councilmembers and County Executive FitzGerald congratulated Mr. Rogers and thanked him for his service on Council. Councilmembers then presented Mr. Rogers with a plaque.**

**Ms. Diane Bickett, Executive Director of the Cuyahoga County Solid Waste District, made remarks and presented Mr. Rogers with the "Trash Oscar" award.**

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

- a) R2014-0027: A Resolution confirming the County Executive's reappointment of Nick Nardi to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for the term 3/1/2014 - 2/28/2017, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Conwell and Rogers.

**Council President Connally referred Resolution No. R2014-0027 to the Human Resources, Appointments & Equity Committee.**

- b) R2014-0028: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cuyahoga County Planning Commission for various terms, and declaring the necessity that this Resolution become immediately effective:

1) Appointments:

- i) The Honorable Merle S. Gorden (Hillcrest Region) for an unexpired term ending 12/31/2014.
- ii) The Honorable Sherri A. Lippus (Southwest Region) for an unexpired term ending 12/31/2015.

2) Reappointment:

- i) The Honorable Eileen A. Patton (Westshore Region) for the term 1/1/2014 - 12/31/2016.

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0028 to the Human Resources, Appointments & Equity Committee.**

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

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2014-0003, R2014-0004 and R2014-0005.**

- a) R2014-0003: A Resolution confirming the County Executive's appointment of Jason J. Therrien to serve on the Cuyahoga County Community Improvement Corporation Board of Trustees for the term 1/1/2014 - 1/1/2017, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

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

**On a motion by Ms. Conwell with a second by Mr. Gallagher, Resolution No. R2014-0003 was considered and adopted by unanimous vote.**

- b) R2014-0004: A Resolution confirming the County Executive's reappointment of Diane Fusco to serve on the Cuyahoga County Board of Developmental Disabilities for the term 2/1/2014 - 1/31/2018, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Conwell and Germana

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

**On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0004 was considered and adopted by unanimous vote.**

- c) R2014-0005: A Resolution approving a revised Assigned Counsel Fee Schedule for the Cuyahoga County Court of Common Pleas General Division and Eighth District Court of Appeals, effective 2/1/2014; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon, Gallagher, Miller and Connally on behalf of Cuyahoga County Court of Common Pleas

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

**On a motion by Ms. Simon with a second by Mr. Miller, Resolution No. R2014-0005 was considered and adopted by unanimous vote.**

12. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR  
~~THIRD~~**SECOND** READING ADOPTION **UNDER SUSPENSION OF RULES** (Pending  
Committee Recommendation)

**[Note: Council President Connally explained that one of the readings for Resolution No. R2014-0002 occurred during a Special Meeting of Council; therefore, it did not constitute an official reading under the Charter thereby necessitating suspension of the rules.]**

**A motion was then made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2014-0002.**

- a) R2014-0002: A Resolution determining to submit to the electors the question of levying an extension of the alcohol and cigarette excise taxes for the purpose of paying the costs of constructing, renovating, improving, or repairing sports facilities and reimbursing a county for costs incurred by the county in the construction of sports facilities.

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

Committee Assignment and Chair: Committee of the Whole – Connally

**On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2014-0002 was considered and adopted by unanimous roll-call vote.**

13. CONSIDERATION OF A RESOLUTION 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. R2014-0029.**

- a) R2014-0029: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 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

**A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2014-0029 by deleting Item C in Section 1 and referring the deleted item to the Committee of the Whole.**

**On a motion by Mr. Miler with a second by Ms. Conwell, Resolution No. R2014-0029 was considered and adopted by unanimous vote, as amended.**

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

- a) R2014-0030: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 58 employees in 6 classifications in the Department of Public Works/Division of Maintenance for the period 1/1/2013 - 12/31/2015; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

**Resolution No. R2014-0030 was withdrawn from consideration at the request of the Department of Law; therefore, no executive session was convened.**

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

- a) R2014-0031: A Resolution making an award on RQ28818 to Karvo Paving, Co. in the amount not-to-exceed \$8,372,654.20 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road intersection in the City of Shaker Heights and Village of Highland Hills; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$418,632.71 to fund said contract; 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. R2014-0031 to the Public Works, Procurement & Contracting Committee.**

- b) R2014-0032: A Resolution authorizing an agreement with City of Highland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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/Department of Human Resources

**Council President Connally referred Resolution No. R2014-0032 to the Human Resources, Appointments & Equity Committee.**

- c) R2014-0033: A Resolution authorizing an agreement with City of University Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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/Department of Human Resources

**Council President Connally referred Resolution No. R2014-0033 to the Human Resources, Appointments & Equity Committee.**

- d) R2014-0034: A Resolution authorizing the issuance of not-to-exceed \$11,955,000.00 County of Cuyahoga, Ohio Economic Development Revenue Refunding Bonds, Series 2014 (Cleveland Hearing and Speech Center Project), for the purpose of refunding the outstanding principal amount of County of Cuyahoga, Ohio Tax-exempt Variable Rate Economic Development Revenue Bonds, Series 2008 (Cleveland Hearing and Speech Center Project), that were issued to provide funds to assist the Cleveland Hearing and Speech Center in financing costs of a project consisting generally of the acquisition, construction, improvement, furnishing and equipping of real and personal property consisting of an approximately 48,000 square foot headquarters and operations facility located at 11635 Euclid Avenue, Cleveland, Ohio; authorizing the execution and delivery of a loan agreement and trust indenture; authorizing the execution and delivery of a bond purchase agreement and authorizing the execution and delivery of certain other documents and actions in connection with the issuance of such bonds; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Thompson Hine LLP

**Council President Connally referred Resolution No. R2014-0034 to the Economic Development & Planning Committee.**

16. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- a) R2013-0294: A Resolution authorizing an Economic Development Fund Large Scale Attraction Loan in the amount not-to-exceed \$805,000.00 to Remedi SeniorCare of Ohio-Northeast, LLC for relocation and expansion of a facility located at 26251 Bluestone Boulevard, Euclid; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Development **and Councilmember Simon**

Committee Assignment and Chair: Economic Development & Planning – Schron

**Clerk Schmotzer read Resolution No. R2013-0294 into the record.**

**A motion was then made by Mr. Schron, seconded by Mr. Rogers and approved by unanimous vote to amend Resolution No. R2013-0294 by deleting “*an Ulhmann Packager*” and inserting “*machinery and equipment*” in the second whereas clause.**

**This item will move to the February 11, 2014 Council meeting agenda for consideration for third reading adoption, as amended.**

- b) R2014-0014: A Resolution providing for adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

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

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

**Clerk Schmotzer read Resolution No. R2014-0014 into the record.**

**This item will move to the February 11, 2014 Council meeting agenda for consideration for third reading adoption.**

17. 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. R2013-0298, R2014-0006, R2014-0009, R2014-0010, R2014-0011, R2014-0012, R2014-0013, R2014-0016, R2014-0017, R2014-0018, R2014-0019, R2014-0020, R2014-0021, R2014-0022, R2014-0023, R2014-0024, R2014-0025 and R2014-0026.**

- a) R2013-0298: A Resolution making awards on RQ28675 to various providers in the total amount not-to-exceed \$153,600,000.00 for placement services for the period 1/1/2014 - 12/31/2016; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) Alliance Human Services, Inc.
- 2) Applewood Centers, Inc.
- 3) Beech Brook
- 4) Bellefaire Jewish Children's Bureau
- 5) BHC Belmont Pines Hospital, Inc.
- 6) Caring for Kids, Inc.
- 7) Carrington Youth Academy, LLC
- 8) Catholic Charities Corporation
- 9) Christian Children's Home of Ohio, Inc.
- 10) Continue Life
- 11) Cornell Abraxas Group, Inc.
- 12) Diversion Adolescent Foster Care of Ohio, Inc.
- 13) Fox Run: The Center for Children and Adolescents
- 14) Glen Mills Schools
- 15) Guidestone nka Ohio Guidestone
- 16) Hittle House, LLC
- 17) House of New Hope
- 18) In Focus of Cleveland, Inc.
- 19) Keystone Richland Center, LLC dba Foundations for Living
- 20) Lutheran Metropolitan Ministry dba START – Support to At-Risk Teens
- 21) National Youth Advocate Program, Inc.
- 22) New Directions, Inc.
- 23) Northeast Ohio Associates in Psychiatric Medicine, Inc. (Sharon Lynn Residence)

- 24) Options for Families and Youth
- 25) Pathway Caring for Children
- 26) Pressley Ridge
- 27) Quality Care Residential Homes, Inc.
- 28) Rite of Passage, Inc.
- 29) Specialized Alternatives for Families and Youth of Ohio, Inc.
- 30) The Bair Foundation
- 31) The Buckeye Ranch, Inc.
- 32) The Cleveland Christian Home Incorporated
- 33) The Twelve of Ohio, Inc.
- 34) The Village Network

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 Ms. Conwell, Resolution No. R2013-0298 was considered and adopted by unanimous vote.**

**[Note: Item No. 9 was taken out of order and considered after Item No. 17.a) on the agenda.]**

- b) R2014-0006: 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 and for appropriation transfers between budget accounts, in order to meet the budgetary needs of various County departments, offices and agencies related to year-end close-out activities, in accordance with Resolution No. R2013-0227; 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. Schron, Resolution No. R2014-0006 was considered and adopted by unanimous vote.**

- c) R2014-0009: A Resolution authorizing a revenue generating Utility Agreement with City of Warrensville Heights for maintenance and repair of storm sewers, sanitary sewers and waterlines located in County Sewer District No. 5; 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/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. Germana, Resolution No. R2014-0009 was considered and adopted by unanimous vote.**

- d) R2014-0010: A Resolution authorizing an amendment to Contract No. CE10241-04, 06 with Sterling Telecom Office Building, LLC c/o Colliers International for lease of office space located at 1255 Euclid Avenue, Cleveland, for the period 9/1/1998 - 12/31/2012 to extend the time period to 12/31/2015 and for additional funds in the amount not-to-exceed \$498,300.12; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works on behalf of Department of Public Safety and Justice Services

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2014-0010 was considered and adopted by unanimous vote.**

- e) R2014-0011: A Resolution authorizing an agreement with Cuyahoga County District Board of Health for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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/Department of Human Resources

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

**On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2014-0011 was considered and adopted by unanimous vote.**

- f) R2014-0012: A Resolution authorizing an agreement with City of Fairview Park for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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/Department of Human Resources

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

**On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0012 was considered and adopted by unanimous vote.**

- g) R2014-0013: A Resolution authorizing an agreement with Village of Walton Hills for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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/Department of Human Resources

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

**On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2014-0013 was considered and adopted by unanimous vote.**

- h) R2014-0016: A Resolution authorizing an Economic Development Fund Loan in the amount not-to-exceed \$2,000,000.00 to Highpoint Realty 24755 LLC for purchase and renovation of a facility located at 24755 Highpoint Drive, Beachwood; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Development **and Councilmember Simon**

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Ms. Simon with a second by Mr. Schron, Resolution No. R2014-0016 was considered and adopted by unanimous vote.**

- i) R2014-0017: A Resolution amending Resolution No. R2013-0073 dated 4/9/2013, which amended Resolution No. R2011-0293 dated 10/25/2011, which established a list of certified providers for occupational skills training services for the Individual Training Account System for the period 7/1/2011 - 6/30/2014, to add various providers; and declaring the necessity that this Resolution become immediately effective:
- 1) American Center for Conflict Resolution Institute, Inc. dba Lakewood College
  - 2) Ohio Guidestone
  - 3) South University of Ohio, LLC dba South University

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland, as designated Local Workforce Investment Area No. 3 and Councilmember Rogers

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

**On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2014-0017 was considered and adopted by unanimous vote.**

- j) R2014-0018: A Resolution authorizing amendments to contracts with various providers for Workforce Investment Act In-School and Out-of-School Youth Training for the period 9/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds; 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. CE1100665-01 with Open Doors, Inc. in the amount not-to-exceed \$80,000.00.
  - 2) No. CE1100669-01 with Lutheran Metropolitan Ministry in the amount not-to-exceed \$120,000.00.

Sponsors: County Executive FitzGerald/Department of Workforce Development and Councilmember Rogers

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

**On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2014-0018 was considered and adopted by unanimous vote.**

k) R2014-0019: A Resolution authorizing amendments to agreements and contracts with various providers for Workforce Investment Act In-School and Out-of-School Youth Training for the Connect the Dots Program for the period 9/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds; 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. AG1100140-01 with Cuyahoga Community College District (Youth Technology Academy) in the amount not-to-exceed \$120,000.00.
- 2) No. AG1100141-01 with Mayfield City School District in the amount not-to-exceed \$6,000.00.
- 3) No. AG1100142-01 with Cuyahoga Community College District (Advanced Technology Academy) in the amount not-to-exceed \$75,000.00.
- 4) No. CE1100660-01 with Baldwin-Wallace College in the amount not-to-exceed \$17,857.00.
- 5) No. CE1100666-01 with Youth Opportunities Unlimited in the amount not-to-exceed \$50,000.00.
- 6) No. CE1100667-01 with Ohio Guidestone fka Guidestone in the amount not-to-exceed \$176,225.00.
- 7) No. CE1100669-01 with Lutheran Metropolitan Ministry in the amount not-to-exceed \$75,000.00.
- 8) No. CE1100700-01 with Towards Employment in the amount not-to-exceed \$25,000.00.

Sponsors: County Executive FitzGerald/Department of Workforce Development and Councilmembers Rogers **and Conwell**

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

**On a motion by Mr. Rogers with a second by Mr. Schron, Resolution No. R2014-0019 was considered and adopted by unanimous vote.**

- l) R2014-0020: A Resolution authorizing an amendment to Master Contract No. CE1300268-01 for residential treatment services for the period 2/1/2013 - 1/31/2015 to change the total amount not-to-exceed from \$2,250,000.00 to \$3,850,000.00, to authorize funding decreases and/or increases with various previously approved providers and to make awards on RQ28779 to additional providers for the period 2/1/2014 - 1/31/2015; 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:

- 1) Central Ohio Youth Center
- 2) Community Specialists Corporation dba The Academy
- 3) George Junior Republic in Pennsylvania
- 4) Muskegon River Youth Homers
- 5) Rite of Passage, Inc.
- 6) Summit School, Inc. dba The Academy

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division

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

**On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2014-0020 was considered and adopted by unanimous vote.**

- m) R2014-0021: A Resolution authorizing an amendment to Master Contract No. CE1300269-01-08 for residential treatment services for the Youth and Family Community Partnership Program for the period 2/1/2013 - 1/31/2015 to change the total amount not-to-exceed from \$2,700,000.00 to \$4,578,277.50 and to authorize funding decreases and/or increases with various previously approved providers; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division

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

**On a motion by Mr. Gallagher with a second by Mr. Miller, Resolution No. R2014-0021 was considered and adopted by unanimous vote.**

- n) R2014-0022: A Resolution making awards on RQ28083 to various providers for Staff Secure Shelter Care Services for the period 3/1/2014 - 2/29/2016; authorizing the County Executive to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- 1) Carrington Youth Academy, LLC in the amount not-to-exceed \$2,110,419.85.
  - 2) The Cleveland Christian Home Incorporated in the amount not-to-exceed \$1,163,432.15.

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division **and Councilmember Rogers**

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

**On a motion by Mr. Gallagher with a second by Mr. Rogers, Resolution No. R2014-0022 was considered and adopted by unanimous vote.**

- o) R2014-0023: A Resolution authorizing various revenue generating agreements with Council for Economic Opportunities in Greater Cleveland for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Head Start Programs for the period 2/1/2014 - 1/31/2017; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
- 1) Green Road Services Center, located at 4329 Green Road, Highland Hills, in the amount not-to-exceed \$342,824.04.

- 2) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland, in the amount not-to-exceed \$410,788.17.

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities and Councilmembers Rogers **and Conwell**

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

**On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2014-0023 was considered and adopted by unanimous vote.**

- p) R2014-0024: A Resolution authorizing a contract with Starting Point in the amount not-to-exceed \$1,241,864.00 for administration and coordination of the Early Care/Education Professional Development and Teacher Education and Compensation Helps Professional Development Programs for the period 1/1/2014 - 12/31/2015; 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.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood and Councilmembers Rogers, **Miller and Jones**

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

**On a motion by Mr. Rogers with a second by Mr. Schron, Resolution No. R2014-0024 was considered and adopted by unanimous vote.**

- q) R2014-0025: A Resolution authorizing a contract with Starting Point in the amount not-to-exceed \$3,967,986.00 for administration of the Special Needs Child Care Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; 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.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood and Councilmembers Rogers, **Miller and Jones**

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

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2014-0025 was considered and adopted by unanimous vote.**

- r) R2014-0026: A Resolution authorizing a contract with Starting Point in the amount not-to-exceed \$3,549,202.00 for administration of the Family Child Care Home Regional System for the Invest In Children Program for the period 1/1/2014 - 12/31/2015; 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.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood and Councilmembers Rogers, **Miller and Jones**

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

**On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2014-0026 was considered and adopted by unanimous vote.**

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

- a) O2014-0003: An Ordinance amending Cuyahoga County Code Chapter 506: Procurement Card Program Policies and Procedures to approve revised Cuyahoga County Procurement Card Program Policies and Procedures, effective 3/1/2014; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

**Council President Connally referred Ordinance No. O2014-0003 to the Public Works, Procurement & Contracting Committee.**

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

- a) O2014-0002: An Ordinance amending Cuyahoga County Code Chapter 503: Small Business Enterprise Program Policies and Procedures to approve revised Cuyahoga County Small Business Enterprise Program

Policies and Procedures, effective 2/15/2014; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

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

**Clerk Schmotzer read Ordinance No. O2014-0002 into the record.**

**This item will move to the February 11, 2014 Council meeting agenda for consideration for third reading adoption.**

#### 20. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, February 3, 2014 at 1:00 p.m.**

**Mr. Greenspan reported that the Council Operations & Intergovernmental Relations Committee will meet on Monday, February 3, 2014 at 9:00 a.m.**

**Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, February 4, 2014 at 10:00 a.m.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, February 5, 2014 at 11:00 a.m.**

#### 21. MISCELLANEOUS BUSINESS

**Mr. Greenspan announced that the Newly Elected Officials Training Program will take place on Friday, February 7, 2014 at the Westlake Recreation Department and on Saturday, February 8, 2014 at Cleveland State University.**

**Mr. Germana announced his upcoming vacation plans.**

#### 22. PUBLIC COMMENT UNRELATED TO AGENDA

**No public comments were given unrelated to the agenda.**

#### 23. ADJOURNMENT

**With no further business to discuss, Council President Connally adjourned the meeting at 6:29 p.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0035

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive's appointment of Mark A. Parks, Jr. upon his taking the oath of office as Fiscal Officer of Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Article V, Section 5.01 of the Charter of Cuyahoga County, each of the offices provided for in Article V shall be appointed by the County Executive, subject to the confirmation by Council; and,

WHEREAS, Article V, Section 5.02 of the Charter provides for the powers, duties, and qualifications of the Fiscal Officer; and,

WHEREAS, the County Executive has nominated Mark A. Parks, Jr. for the appointment to the position of Fiscal Officer; and,

WHEREAS, the Council has undergone review and scheduled a Confirmation Hearing which was noticed to the public and held in an open meeting on \_\_\_\_\_, 2014; and,

WHEREAS, the Council elects to confirm the County Executive's appointment of Mark A. Parks, Jr. to the position of Fiscal Officer; and,

WHEREAS, it is necessary that this Resolution 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 County government.

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

**SECTION 1.** That the Cuyahoga County Council hereby confirms the appointment of Mark A. Parks, Jr. to serve as Fiscal Officer upon his taking the oath of office.

**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 eight members of Council, this Resolution shall become immediately effective.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and 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

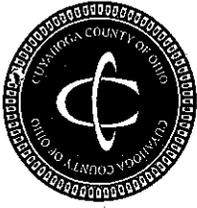
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



**EDWARD FITZGERALD**  
Cuyahoga County Executive

January 27, 2014

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

Re: Cuyahoga County Fiscal Officer

Dear President Connally:

Pursuant to Article V, Section 5.02 of the Cuyahoga County Charter, I am pleased to nominate Mark A. Parks, Jr. to continue his service as the Cuyahoga County Fiscal Officer. Mr. Parks has served this county for years, in various positions, including his current position as Acting Fiscal Officer. His experience and background have been of great service over the last few months as the County reviewed and passed its recent budget.

As required by Charter Section 5.02(3), Mr. Parks is a certified public accountant and documentation regarding his state license and registration is attached for your review. Additionally, I have included the information that was submitted when Mr. Parks was nominated and confirmed as the County Treasurer.

Mr. Parks is a dedicated public servant who has provided necessary financial guidance and advice as the new government was established and became stabilized. His knowledge and experience have been of great value to our fiscal operations as we deal with budgetary matters, bond issuances, property consolidation and numerous new construction projects. I have relied on his expertise and know he will continue to serve admirably as our Fiscal Officer.

I ask that these appointments be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact my Special Assistant, James Boyle at 216-698-2089.

Sincerely,

Edward FitzGerald  
Cuyahoga County Executive

**Mark A Parks Jr.**

Mark A. Parks, Jr. was sworn into office January 1, 2008. Mark had previously served on Council in 2005 after being selected by unanimous decision to fill a council vacancy:

A Certified Public Accountant, Parks is a Budget & Management Analysts for the Cuyahoga County Board of County Commissioners. He also serves as the strategic director for the MAP Group, a tax, consulting, and financial education firm.

Councilman Parks serves as the chairman of the finance committee. He wants to ensure that Orange Village's superior services continue, while the community is experiencing growth and change. "As the community develops and improves, we to make sure that we continue to offer the same quality of services that were in place when Orange Village was a smaller more intimate community." "Housing has increased and more families are moving into the area." "It's important that we adapt to the positive changes that are taking place, yet maintain the same level of commitment to our residents."

Councilman Parks is the Board Treasurer for Continue Life Inc., a homeless Shelter and transitional housing facility for pregnant and/or parenting teenage girls. Parks is the Executive Board Treasurer for the National Black MBA Association, and he is on the Audit Committee for Community United Headstart. He also serves on the Ambassador's Council for the Club at Key Center and he is a member of Omega Psi Phi Fraternity. He is also a member of the Government Finance Officers Association.

His background in financial and cash management, general accounting, taxation, and governmental accounting gives him the expertise needed to chair the Finance Committee. He has served as a Regional Vice President for a Fortune 500 company and as the Chief Financial Officer for midsize governmental and non-profit organizations.

Councilman Parks received a bachelor's degree from Baldwin-Wallace College majoring in Business Administration and Political Science. He also has a Master's of Business Administration in e-Business.

He and his wife Connie and two sons, Mark III and Charles have lived in Orange Village since 1997.



Name and Address		[back]
<b>Name</b>	MARK ANTHONY PARKS JR	
<b>Residence</b>	ORANGE VILLAGE, OH	
<b>Public Address</b>	No address information on file.	

License and Registration Information						
Credential	License Type	Initial Licensure Date	Issue Date	Expiration Date	Status	Reason
CPA.34385	Certified Public Accountant	09/16/1996	01/01/2013	12/31/2015	ACTIVE	

---

**Certified Public Accountant**

Efficiency Specialist – Personally cut in excess of \$5 million in expenses through operational analysis/  
Organizational Specialist – Developed new organizational structure to promote functionality and efficiency

**QUALIFICATIONS AND ACCOMPLISHMENTS**

*Efficient performance with a high level of acumen in:*

- Budget development, financial management, cash management, general accounting, taxation, internal controls, and small business consulting.
- Thorough knowledge of both GASB and FASB accounting
- Strong verbal and written communication skills
- Strong emotional intelligence skills
- Exceptional management skills

*Technical Skills:*

- Microsoft Office Word, Excel, PowerPoint, Access, Publisher - 2003, 2007, 2010
  - Quickbooks™ accounting software
  - Experienced using various accounting software packages, For Profit and Not For Profit
- 

**PROFESSIONAL EXPERIENCE**

- TREASURER/CHIEF FISCAL OFFICER** (Acting), Cuyahoga County, Cleveland, OH 2013- Present
- ◆ Performed all functions of the Chief Financial Officer and Treasurer for a \$1.5 billion governmental entity
  - ◆ Managed the entire financial enterprise for the County
  - ◆ Serve as Chief Fiscal Officer for the entire County, overseeing financial operations, accounting, payroll, AP/AR, reviewing and preparing budgets, monitoring revenues and expenditures, and implementing corrective actions. Serve as the statutory Auditor, Recorder, and Clerk of Courts (Title Division) as defined by the Ohio Revised Code.
- DIRECTOR OF SPECIAL PROJECTS/CONTROLLER** (Acting), Cuyahoga County, Cleveland, OH 2012- 2013
- ◆ Manage a process called CountyStat to quantitatively evaluate the operations of the Fiscal Office and determine corrective actions
  - ◆ Assist Chief Fiscal Officer with organization and consolidation of the new fiscal office, including but not limited to organizational structure, physical plant, and accounting structure
  - ◆ Serve as controller for the entire County, overseeing financial operations, accounting, payroll, AP/AR, reviewing and preparing budgets, monitoring revenues and expenditures, and implementing corrective actions
  - ◆ Evaluate the effectiveness and challenges of the newly formed government and recommend structural changes
  - ◆ Evaluate staffing for effectiveness and efficiency and recommend changes
  - ◆ Implement new Charter requirements for reformed County government
- CHIEF FISCAL OFFICER/TREASURER** (Acting), Cuyahoga County, Cleveland, OH 2011- 2012
- ◆ Began financial transition from former County Commissioner form of government to Executive form of government by facilitating the consolidation of three formerly elected officials' offices and four departments into one financial enterprise
  - ◆ Developed and implemented strategies to bring together a very diverse group of employees, many of whom had never worked together before

- ◆ Began the elimination of redundancies that were inherent in the former form of government
- ◆ Performed all functions of the Chief Financial Officer and Treasurer for a \$1.5 billion governmental entity
- ◆ Managed the entire financial enterprise for the County
- ◆ Implemented new Charter requirements for reformed County government

**FINANCIAL SYSTEM ADMINISTRATOR, Cuyahoga County, Cleveland, OH** 2010 - 2011

- ◆ Performed development of operating budget, monitor revenue estimates for the General Fund and Health & Human Services Levies and debt service
- ◆ Assisted in the sale of notes and bonds by coordinating information among bond counsel, underwriters, trustees, and banks, including participating on the \$565 million financing team of the Cleveland Medical Mart and Convention Center
- ◆ Facilitated maintaining the County's note and bond ratings
- ◆ Performed capital management duties, develop indirect cost plan, and evaluate proposals for new or expanded projects
- ◆ Provided computer software technical support and assistance to end-users in County departments

**BUDGET MANAGEMENT ANALYST, Board of County Commissioners, Cleveland, OH** 2005 - 2010

- ◆ Developed, prepared and monitored \$1.5 billion budget for the Board of County Commissioners (BOCC)
- ◆ Analyzed fiscal activities of assigned departments and make forecasts based on expenditure patterns
- ◆ Performed fiscal management functions for BOCC agencies

**ADJUNCT INSTRUCTOR, Cuyahoga Community College, Cleveland, OH** 2007 - 2012

- ◆ Teach basic, intermediate, governmental, and advanced principles of accounting courses
- ◆ Prepare students for life in the business world

**CHIEF FINANCIAL OFFICER, Lake Metropolitan Housing Authority, Painesville, OH** 2002 - 2005

- ◆ Managed and performed all fiscal duties including: cash management, investments, payroll, accounts receivable, accounts payable, taxes, budgeting, forecasting and general accounting
- ◆ Automated the accounting processes and implemented changes that increased efficiency

**SENIOR ACCOUNTANT, Cleveland Clinic Foundation (CCF), Cleveland, OH** 1998 - 2001

- ◆ Developed sophisticated interactive budgeting application to facilitate Activity Based Costing for proposals
- ◆ Prepared CCF proposals for the coordination of clinical trials for pharmaceutical companies

**CHIEF FINANCIAL OFFICER, Community United Head Start/Day Care Inc., Cleveland, OH** 1996 - 1998

- ◆ Managed all fiscal activities for thirty-two pre-school/daycare centers and a food service unit including: receipt and disbursement of funds, payroll, accounts payable, purchasing and general ledger records
- ◆ Performed budgeting, forecasting and cash management

**FISCAL MANAGER, Cleveland Technical Assistance Organization (TAO), Cleveland, OH** 1994 - 1996

- ◆ Performed financial management including: financial statements, accounts receivable, accounts payable, general ledger, taxes, payroll, budgeting, forecasting, cash management, and maintaining positive banking relationships
- ◆ Oversaw the accounting function for twenty-five housing developments funded by HUD

### CIVIC ENGAGEMENT

#### VILLAGE COUNCIL PRESIDENT & FINANCE COMMITTEE CHAIRMAN, Orange Village, OH 2005, 2008-2013

The President of Council is responsible for presiding over all Council meetings, appointing all committee chairs, and serving as acting Mayor in the Mayor's absence or in the event of incapacity. The Finance chair is responsible for choosing a committee to scrutinize the financial records and transactions of the Village.

### COMMUNITY ACTIVITIES

- ◆ 2011 - Present President of the Shaw High Alumni Association 2006-2010, Immediate Past President
- ◆ 2010 - 2011: Representative for the Cuyahoga County Transition Team for Finance
- ◆ 2000 - 2011: National Association of Black Accountants – Communications Committee
- ◆ 2006 - 2008: National Black MBA Association – Treasurer
- ◆ 2005 - 2008: Community United Head Start – Audit Committee Chairman
- ◆ 1995 - 2008: Continue Life Incorporated - Treasurer

### EDUCATION AND LICENSURE(S)

University of Phoenix

**Masters of Business Administration Degree**, concentration in *e-Business*, July 2006

- ◆ 3.88 grade point average

Cleveland State University

**Completed coursework equivalent to an accounting major**

- ◆ 3.4 grade point average on a 4.0 scale in accounting
- ◆ Completed Cleveland State Leadership Academy in 2008

Baldwin-Wallace College

**Bachelor of Arts Degree** with a dual major in Business Administration and Political Science

President's Council Foundation

**Emerging Entrepreneurs Class** of 2005

**Passed:**

- ◆ Life, Accident & Health and Variable Products exam
- ◆ Passed Securities Series 6, 63, and Series 26
- ◆ Passed Ohio Certified Public Accountants Examination

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0036

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive's appointment of various individuals to serve on the Cuyahoga Arts and Culture Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective.
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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, Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that "[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;" and,

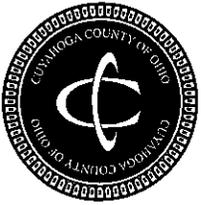
WHEREAS, the County Executive has nominated the following individuals to serve on the Cuyahoga Arts and Culture Board of Trustees:

- 1) Joseph P. Gibbons, Esq. to fill a vacancy for an unexpired term ending March 31, 2015,
- 2) Eliza Wing to fill a vacancy for a term commencing April 1, 2014 and ending March 31, 2017; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**





**EDWARD FITZGERALD**  
Cuyahoga County Executive

January 27, 2014

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

Re: Cuyahoga Arts and Culture Board of Trustees

Dear President Connally:

The Cuyahoga County Arts and Culture is managed by a five-member Board of Trustees. The Board members serve three-year terms and are not compensated for their service. Pursuant to Ohio Revised Code Section 3381.05, I submit for Council's confirmation, the following nominee to serve on the Board of Trustees for the Cuyahoga Arts and Culture:

- **Joseph P. Gibbons, Esq.**

I have attached Mr. Gibbons' application as well as some information about his background and qualifications. As you can see, Mr. Gibbons has a lengthy list of civic involvement including serving as a City Councilman and membership on the Lakewood Hospital's Board of Trustees. Additionally, he has had a lifelong involvement with the arts communities and is an active participant in local theatrical productions.

As we approach the renewal of the CAC's levy, it is imperative that their Board of Trustees have members that understand the mission of the CAC as well as having a desire and ability to engage in critical dialogue about the operations and the functions of the enterprise. Mr. Gibbons will be an excellent member of this body and I am proud to offer his nomination to the Council for review and confirmation.

I ask that this appointment be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact my Special Assistant, James Boyle at 216-698-2089.

Sincerely,

Edward FitzGerald  
Cuyahoga County Executive

cc: Karen Gahl-Mills



1111 Superior Avenue, Suite 1000  
 Cleveland, OH 44114-2568  
 p: 216/696-4200  
 f: 216/696-7303

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- News

**JOSEPH P. GIBBONS NAMED "PERSON OF THE WEEK"**

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CLEVELAND, Ohio, June 7, 2010 - Joseph Gibbons, Partner of Schneider, Smeltz, Ranney & LaFond, P.L.L. (SSRL), was named "Person of the Week" by The Sun Post-Herald on May 28, 2010 due to his devotion and avid commitment to the community, his career and family. Joe joined SSRL in May of 2005, and became a partner in January 2006. His practice areas include: counseling closely-held businesses, real estate, estate and business succession planning, estates and trusts and related litigation.

Mr. Gibbons is an active member of St. James Parish. He received the Inaugural Insignis Award from Lakewood Catholic Academy (LCA) at its Fifth Year Birthday Gala in April. He is a founding member and chairman emeritus of the Board of Directors of LCA.

LCA Principal Maureen Arbeznik comments, "...The energy he brings, and his passion for the vision of excellence in Catholic education here in Lakewood, is inspiring to the entire LCA community."

As a longtime resident of Lakewood, Ohio, Joe remains active in his community. He is a member of the Lakewood Hospital's Board of Trustees and Foundation Board as well as a founding member of LakewoodAlive. Past titles include President of the Lakewood Civil Service Commission, and member of City Council.

Joseph Gibbons is a father of two, and can be found playing amateur ice hockey, or performing in Community Theater productions with his wife, Peggy. If you would like to contact Joe Gibbons he can be reached at (216) 696.4200 or via email at [jgibbons@ssrl.com](mailto:jgibbons@ssrl.com)

**LATEST NEWS**

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**Schneider, Smeltz, Ranney & LaFond Welcomes Drew R. Barnholtz**

News Item    September 6, 2013    [News](#)

Drew Barnholtz has joined Schneider, Smeltz, Ranney & LaFond where he will leverage his background as a former general counsel and compliance officer and will focus on transactional, corporate and healthcare regulatory matters. Drew draws upon...

**Schneider, Smeltz, Ranney & LaFond Takes Lead in Educating NEO Professionals on New Ohio Law**

News Item    June 11, 2013    [News](#)

Ohio becomes Among the Top States in the Nation for Asset Protection Planning    Cleveland, Ohio, May 13, 2013- Schneider, Smeltz, Ranney & LaFond (SSRL) is among one of the first law firms in town to deliver an informative presentation on the n...

**Todd K. Masuda Presents Legal Assistance Seminar to Nonprofits**

News Item    June 11, 2013    [News](#)

Cleveland, Ohio, June 3, 2013 – Todd K. Masuda from Schneider, Smeltz, Ranney, and LaFond P.L.L. and Steven W. Day from Calfee, Halter, and Griswold LLP presented a seminar titled, What to Think About When You're Thinking About Starting a Nonpr...

**Step Forward Webinar - Taking Care of Your Children**

News Item    May 22, 2013    [Events](#)

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

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**From:** <donotreply@cuyahogacounty.us>  
**To:** <jboyle@cuyahogacounty.us>  
**Date:** 9/12/2013 12:54 PM  
**Subject:** Boards and Commissions Form - Office of Boards and Commissions

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

Last Name : Gibbons

First Name : Joseph

City : Lakewood

State : Ohio

Zip : 44107

Phone Number : 216-228-5516

Email Address : jgibbons@ssrl.com

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

Why are you interested in serving on this board/commission/council? : My interest is based upon my lifelong appreciation of the arts and commitment to our community.

What qualities do you possess that would make you a good candidate to serve on this board/commission/council? : Most importantly, I appreciate the importance of the arts in Cuyahoga County and have been very involved for the past 25 years in many civic and community affairs; my wife and I have shared a long time interest in the arts, particularly music and theater - we attend many professional and amatuer music, theater, dance productions; former season subscribers to Cleveland Opera; long time and current subscriber to Cleveland Playhouse; we have been long time supporters of many community theaters; my wife has performed in many community theater productions over the years and currently sings with a swing band; I performed in a number of community theater productions...and played George Bailey in "It's a Wonderful Life"; finally, I have a banjo that I am committed to spend time with some day!

What professional experience do you have that would make you a good candidate to serve on this board/commission/council? : Practicing attorney for 30+ years; former member of Lakewood City Council; former member and officer of Lakewood Hospital Foundation Board of Trustees(served on both the finance and audit committees); former member and chair of the Lakewood Catholic Academy Board of Directors; current member of Lakewood Hospital Board of Trustees.

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



**EDWARD FITZGERALD**  
Cuyahoga County Executive

January 27, 2014

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

Re: *Cuyahoga Arts and Culture Board of Trustees*

Dear President Connally:

The Cuyahoga County Arts and Culture is managed by a five-member Board of Trustees. The Board members serve three-year terms and are not compensated for their service. Pursuant to Ohio Revised Code Section 3381.05, I submit for Council's confirmation, the following nominee to serve on the Board of Trustees for the Cuyahoga Arts and Culture:

- **Eliza Wing**

I have attached Ms. Wing's application as well as some biographical information for review. As you can read, Ms. Wing has a passion for the arts as well as a diverse background that will be ideally suited to this body. She has vast experience working with digital media and creative processes. Her work as a practicing artist provides will bring a realistic approach to the work performed by the Board.

Ms. Wing understands the role that art plays in our community and will add a hands-on approach to the deliberative approach of this body. She is well versed in the mission of the Cuyahoga Arts and Culture Board and is eager to volunteer her time and energy to serve. She will be an excellent member of this body and I am proud to offer her nomination to the Council for review and confirmation.

I ask that this appointment be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact my Special Assistant, James Boyle at 216-698-2089.

Sincerely,

Edward Fitzgerald  
Cuyahoga County Executive

cc: Karen Gahl-Mills

**Eliza Wing**  
29627 Lake Road  
Bay Village, OH 44140  
216-408-1062  
ewing@ag.com  
[www.linkedin.com/in/elizawing](http://www.linkedin.com/in/elizawing)

Media pioneer and experienced digital strategist who works creatively within a competitive business context. Thought-leader with premiere communication skills. Thrives in fast-changing environments. Engaged strategic executive who excels at managing individuals to reach their best performance and potential. Builds cross-functional, layered and diverse teams to address critical issues.

**American Greetings, Cleveland, OH 9/12 – present**

Director, Digital Brands (2/13- present)

- Set strategic direction for American Greetings' lead subscription site (ag.com) and the print-on-demand e-commerce site (cardstore.com)
- Drive business teams to hit revenue goals
- Responsible for helping to craft future developments for American Greetings digital initiatives
- Direct policies on supply chain and pricing for e-commerce to drive profitability
- 

General Manager, ag.com (9/12-2/13)

- Set strategic direction for ag.com
- Drive teams to hit business goals

**Wing Consulting, Cleveland, OH 7/11–9/12**

Owner

Run consulting company that attracts clients seeking strategic advice relating to: business development, social media and marketing, brand development, audience development, customer retention and acquisition.

- Advised seasoned technology CFO and his business partner on viability of launching a company to deploy new mode of ebook distribution (under NDA)
- Built ad strategy across a previously un-monetized network of over one billion page views per year (under NDA)
- Evaluated development of research portal for analysts and customers for client in steel industry (under NDA)
- Constructed social media and content strategy for Brown/Flynn, a leading sustainability consulting group

**Sideways, Inc, Cleveland, 5/10–6/11**

President and COO/co-founder

Directed this company that focused on the creation of a digital publishing platform suitable for the iPad and other tablets. Sideways was solely funded by CEO Charles Stack who lost funding capabilities after a year.

- Formulated brand positioning and identity
- Concepted core elements of the publishing platform
- Devised game-changing approach to ebook discoverability
- Hired and managed employees
- Attained key relationships with target clients

**Cleveland.com, Cleveland, 1996–5/10**

President and CEO (1998-5/10)

Led this nationally recognized news and information website from its inception. Cleveland.com is now the largest news and information site in Ohio and is affiliated with The Plain Dealer. It is a separate company from The Plain Dealer and its corporate parent is Advance Digital (fka Advance Internet), a division of Advance Publications, Inc. Responsible for 40 plus FTE's, 13 million plus dollars in revenue. 30% plus YOY revenue growth.

- Full P&L responsibility, including responsibility for The Plain Dealer online revenues

- Traffic grew from one million page views monthly to over four million unique users monthly
- Created a sales force that was consistently a top-performing group for the Advance Internet network
- Cleveland.com was often the first market where new products rolled out because of sales environment. Staff was hired and trained to be highly adaptable and driven to exceed sales goals
- Directed multi-channel (print/online) sales strategy; this included evangelizing online to print-only executives and managers as well as working with the print group to establish and meet their online sales goals
- Introduced new ad sales products in the market from the standard banner ad in 1996 to search engine marketing in 2008 to full-page takeovers in 2010
- Devised strategic shift from ad sales to ad services as online media advertising underwent significant changes; as banner ad cpm rates declined, new, more service-based offerings were core to the ability to reach aggressive revenue growth. Repositioned Cleveland.com sales force as a digital agency
- Led multi-million dollar multi-media branding strategy and campaign (TV, radio, outdoor, print, online, sponsorships, strategic alliances with other Cleveland-based media outlets), which resulted in Cleveland.com having a 70% awareness rate in Cleveland DMA
- Initiated and orchestrated the process whereby Cleveland.com created its mission statement and core values, creating a clarity of purpose that energized and supported Cleveland.com team members
- A key member of the Advance Internet corporate Strategic Planning Committee. Through a multi-year process, the committee developed and drove the adoption of an organizational roadmap, with the goal of creating a competitive advantage across all Advance markets
- Built strategic relationships with all the major sports teams to include editorial coverage and cross-promotional activities with Indians, Browns, Cavs, Monsters, among others
- Created an exclusive licensing deal with the Ohio High School Athletic Association that resulted in an online statewide high-school sports network, with streaming, live coverage of major games
- Concepted a young professional retention initiative called Brain Gain—the first such efforts in the Cleveland area. Attendance was regularly over 250 at each event, drawing young professionals to key institutions in the region
- As the "face" of Cleveland.com, volunteered and served on major local boards, gave speeches and presentations and hosted large events

#### General Manager (1997)

- Assumed responsibility for all departments of the company (sales, marketing, design, editorial)
- Established lasting and collaborative relationships with local media companies as well as with local institutions, including partnerships with WOIO-TV, WKYC-TV, Crain's Cleveland, WTAM-1100. The partnerships were focused on adding multi-media content to Cleveland.com. All included significant cross-promotional elements, allowing Cleveland.com to strategically position itself as the go-to online news and information site
- Drafted and executed strategy for automotive and recruitment classified products including stand-alone car site called autosuperstore.com which was branded separately (this was prior to the existence of any other auto online stand-alone site.)

#### Editor-in-Chief 1996-1997

- Blueprinted the overall architecture of Cleveland.com, inventing a new editorial product, a combination of city guide and daily news and information site. At the time Cleveland.com was launched there were only a few sites like it in the United States
- Designed and launched cutting edge community news initiative, utilizing 40 community stringers who were filing up to date local news
- Grew traffic from hundreds of page views a week to over one million a month as Cleveland.com grew into the number one news and information site in Ohio
- Conceived and evangelized largest free templated web page program in the country. Called Community Connection, the program provided free web pages for local institutions and non-profits. Those efforts led to over 140 non-profits as well as all the major local cultural institutions having their first web presence through Cleveland.com. After successful launch this program was adopted by other Advance Internet sites

- The site was named “Best World Wide Web Site” by the Northeast Ohio Software Association, “Best Local Web Site” by *Cleveland Magazine* and was awarded “Most Innovative Use of the Online Medium” from the Newspaper Association of America’s New Media Federation

**Books.com** Cleveland, OH 1995 – 1996

Editorial Director

Books.com was internet’s first bookstore, founded by Charles Stack before Amazon. Sold to Barnes and Noble

- Crafted and executed editorial strategy, including audio streaming content

**Freelance writer**, New York, NY 1986 –1994

- Published in *Rolling Stone*, *Self*, *Redbook*, *New York Woman*, *Elle*

**New York Woman**, New York, NY 1986–1989

Associate Editor

- Editor of upfront business profiles section and features

**Rolling Stone Magazine**, New York, NY 1983-1986

Associate Editor 1984-1986

- Fact-checked features and music reviews, including major, breaking cover stories
- Collected information for all Rolling Stone music charts

Assistant Editor 1983-1984

- Assistant to the Managing Editor
- First call I fielded was from Hunter S. Thompson

**Alive Films**, New York, NY 1982-1983

Administrative Assistant

- Assistant to the co-founder, president, Carolyn Pfeiffer

**Universal Pictures**, New York, NY 1981 – 1982

Administrative Assistant

- Reviewed and reported on screenplays and manuscripts for potential development
- Attended and reported on off-Broadway theatrical productions for Universal President, Thom Mount

**Affiliations/Awards**

- US Bank Local Advisory Board 2006-present
- United Way, board member, nominating subcommittee 2009-present
- United Way co-chair Women’s Leadership Council 2010-present
- Ingenuity Fest, board member, development subcommittee 2011-present
- In Counsel with Women, member since 2005
- The 50 Club, member
- New Media Federation for the Newspaper Association of America, President 2005-2006
- Centers for Families and Children Board 2005-2007
- Cleveland Sports Commission Board 2001-2011
- The Birchwood School, Board President 2010
- Leadership Cleveland, Class of 2000.
- Northern Ohio Live Rainmaker Award 2007
- Rock and Roll Hall of Fame and Museum Riot Girl Award 2008
- Distinguished Marketing and Sales Award 2001
- Oil Painter 3<sup>rd</sup> place, Bay Arts Juried Show 2011, participant curated show “Unbearable Lightness of Being” June 2012, Curating “Threshold” October 2012
- Non-fiction essay writer, subject: Innovation and Creativity

## **Education**

University of Michigan, College of Literature Science and Arts honors program Ann Arbor, MI  
BA/comparative literature 1981

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0047

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive's appointment of Glenn Coyne to serve on the Northeast Ohio Areawide Coordinating Agency Board of Directors, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ohio Revised Code Section 307.14, the Northeast Ohio Areawide Coordinating Agency (NOACA) was established; and,

WHEREAS, NOACA provides for transportation and environmental planning which encompasses the Cleveland/Lorain-Elyria metropolitan region including the five Ohio counties of Cuyahoga, Geauga, Lake, Lorain and Medina, including the City of Cleveland; and,

WHEREAS, in accordance with the Code of Regulations, NOACA aims to (1) improve the quality of life of the region's citizens by enhancing the region's long term economic development potential and by protecting its environmental quality; (2) assist member local governments and agencies in addressing local and regional issues in a cooperative manner; and (3) assure equitable flow and prudent expenditure of public funds; and,

WHEREAS, the NOACA Board of Directors shall consist of representatives from the five-county area; and,

WHEREAS, the Code of Regulations of NOACA provides that the County Executive shall designate one appointee as a member to the Board of Directors; and,

WHEREAS, the County Executive appointee shall serve until resignation, removal by the County Executive, or other vacancy; and,

WHEREAS, 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 submitted the name of Glenn Coyne, FAICP to serve as his appointee on the Northeast Ohio Areawide Coordinating Agency (NOACA) Board of Directors; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby confirms the appointment of Glenn Coyne, FAICP to serve as his appointee on the Northeast Ohio Areawide Coordinating Agency (NOACA) Board of Directors.

**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 eight members of Council, this Resolution shall become immediately effective.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and 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

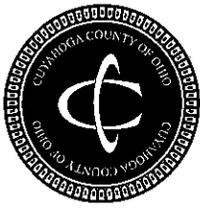
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



**EDWARD FITZGERALD**  
Cuyahoga County Executive

February 3, 2014

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

Re: Northeast Ohio Areawide Coordinating Agency (NOACA) Board of Directors

Dear President Connally:

Pursuant to applicable federal provisions and the NOACA by-laws, I submit the following nominee to serve as one of Cuyahoga County's representatives on the NOACA Board of Directors:

- **Glenn Coyne, FAICP**

NOACA is the federally designated metropolitan planning organization (MPO) for northeast Ohio and helps to determine the allocation of funding for transportation and planning programs that impact Cuyahoga, Geauga, Lake, Lorain and Medina counties. NOACA assists in providing plans that will improve safety and strengthen the livability of our region. NOACA makes critical decisions about the distribution of federal transportation dollars and helps ensure that local projects meet all governmental requirements and are consistent with long-range transportation plans for the region.

Mr. Coyne currently serves as the Executive Director of the Cuyahoga County Planning Commission. I have attached a copy of his profile for your review. As you can see, Mr. Coyne has a wealth of experience in Planning and Development and he will be an excellent addition to the Board of Directors.

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

Sincerely,

Edward FitzGerald  
Cuyahoga County Executive

## **Glenn Coyne, FAICP**

### **Executive Director, Cuyahoga County Planning Commission**

**Profile:** Glenn has over 25 years of professional planning experience, with planning leadership in the Georgia communities of Augusta, Savannah, and Columbia County and currently as Executive Director of the Cuyahoga County Planning Commission. Glenn has also served as consultant to many local governments throughout the U.S., completing comprehensive plans, neighborhood plans and unified land development codes. For the development community, he has served as consultant on public planning charrettes, assisted on rezoning and entitlement approvals, and served as a liaison between the developer and the local planning officials. This experience has enabled Glenn to assist with the regulatory and land development approval process, bringing the perspective of a facilitator with the goal to achieve high quality projects that balance the interests of both the developer and the community. He regularly provides workshop training to planners and planning commissioners especially in the areas of professional development, planning ethics, development regulation, and public participation. Glenn has also served the profession in our nation's capital as the Director of the American Institute of Certified Planners (AICP).

**Education:** Master of City Planning, Georgia Institute of Technology, 1987  
Bachelor of Arts in Urban Studies, Cleveland State University, 1984

#### **Employment History:**

2012-present: **Cuyahoga County Planning Commission**, Cleveland, Ohio, Executive Director  
2010 - 2012 **City of Duluth**, Georgia, Director, Planning and Development  
2003 - 2010 **AECOM, Coyne Planning Associates and HDR Inc.**, Atlanta, Georgia, Consultant  
1999 - 2003 **American Institute of Certified Planners**, Washington, D.C., Executive Director  
1997 - 1999 **Augusta Canal Authority**, Augusta, Georgia, Executive Director  
1992 - 1997 **Columbia County**, Georgia, Director, Planning and Development  
1990 - 1992 **City of Savannah**, Georgia, Assistant Director, Neighborhood Services  
1986 - 1990 **Central Savannah River Regional Commission**, Augusta, Georgia, Planner  
1983 - 1985 **City of Cleveland**, Ohio, Community Development, Planning Intern

#### **Representative Professional Experience (Selected):**

Mr. Coyne has professionally managed numerous projects throughout the U.S. including; Atlanta Streetcar Feasibility Study (GA), Greater Memphis Neighborhoods Plan (TN), Mt. Pleasant Comprehensive Plan (SC), Augusta Canal National Heritage Area implementation (GA), six (6) Unified Land Development Codes (GA and FL) and five (5) Neighborhood Plans, Savannah (GA). Selected projects include:

#### **Comprehensive, Master and Area Plans**

- Town of Mount Pleasant Comprehensive Plan, SC
- Comprehensive Public/Private Community Plan to Support Neighborhood Redevelopment, Memphis, TN
- Glynn County Comprehensive Plan Update, Brunswick, GA
- Brunswick Comprehensive Plan Update, Brunswick, GA
- Columbia County Growth Management Plan, Evans, GA

- City of Suwanee Comprehensive Plan Update, Suwanee, GA
- Belleair Bluffs Comprehensive Plan Amendment, Belleair Bluffs, FL
- Madeira Beach Comprehensive Plan Amendment, Madeira Beach, FL
- City of Madeira Beach Special Area Plan, Madeira Beach, FL
- City of Carrollton Downtown Master Plan, Carrollton, GA
- City of Snellville Livable Centers Initiative (LCI), Snellville, GA
- Rome Street Neighborhood Redevelopment Plan, Hartwell, GA

#### **Zoning Ordinance and Development Regulations**

- City of Tifton-Tift County Unified Development Ordinance, GA
- Fernandina Beach Unified Development Code, Fernandina Beach, FL
- Lynn Haven Unified Land Development Code, Lynn Haven, FL
- Lowndes County Unified Land Development Code, Lowndes County, GA
- Gordon County Unified Land Development Code, Gordon County, GA
- Carrollton Unified Development Ordinance, Carrollton, GA
- Fort Gillem Zoning District Ordinance, Forest Park, GA

#### **Transportation Planning**

- Northeast Corridor Major Investment Study, Nashville, TN
- Atlanta Streetcar Feasibility Study, Atlanta, GA
- Inner Core Transit Feasibility Study, Atlanta, GA
- Transit Oriented Development Study, DeKalb County, GA
- Southwest Georgia Interstate Study, GA

#### **Certifications:**

- American Institute of Certified Planners (AICP), 1989
- Inducted into the College of Fellows of AICP, 2012

#### **Affiliations/Memberships:**

- Georgia Planning Association (GPA). Served in numerous leadership roles including, Chapter President, 1997-1999, Professional Development Officer, 2003-2005, Vice President for Programs 1995-1997
- Georgia Planning Memorial Foundation Board of Directors, 2008-2011
- Georgia Institute of Technology, City and Regional Planning Program; Program Advisory Committee Member and Faculty Search Committee, 2004-2005
- Atlanta Regional Commission; Community Planning Academy Faculty, 2008-2012
- Leadership Augusta, Graduate, 1995

#### **Publications/Lecturing:**

- Regular conference presenter on topics of Ethics, Professional Development and AICP Exam Review at APA National (8 sessions), Georgia Chapter (26 sessions) and planning commissioner training sessions (teaching over 210 participants in last 3 years).
- State of Georgia Community Planning Guidebooks, Georgia Department of Community Affairs. Prepared four (4) training manuals for the Georgia Department of Community Affairs designed specifically to assist cities and counties throughout Georgia with implementation of the Minimum Planning Standards.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0027

Sponsored by: <b>Councilmembers Connally and Conwell</b>  Co-sponsored by: <b>Councilmember Rogers</b>	<b>A Resolution</b> confirming the County Executive’s reappointment of Nick Nardi to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for the term 3/1/2014 - 2/28/2017, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Chapter 306 provides for the creation of a Regional Transit Authority; and,

WHEREAS, the Greater Cleveland Regional Transit Authority (“GCRTA”) Board of Trustees provides policy direction for the Regional Transit Authority and provides oversight of Agency management’s efforts to implement policy and run the day-to-day operations of the transit system; and,

WHEREAS, the GCRTA Board of Trustees consists of ten members who are appointed by the City of Cleveland, Cuyahoga County Mayors and Managers Association and Cuyahoga County; and,

WHEREAS, the members of the GCRTA Board of Trustees shall be appointed to serve a three (3) year term; and,

WHEREAS, 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 Nick Nardi to be reappointed to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for a term commencing March 1, 2014 and ending February 28, 2017; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby confirms the reappointment of Nick Nardi to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for a term commencing March 1, 2014 and ending February 28, 2017.

**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 eight members of Council, this Resolution shall become immediately effective.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: January 28, 2014

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

Additional Sponsorship Requested on the Floor: January 28, 2014

Journal CC013

February 11, 2014

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0028

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive's appointment or reappointment of various individuals to serve on the Cuyahoga County Planning Commission for various terms, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 713.22 provides for the organization and maintenance of a county planning commission; and,

WHEREAS, the Cuyahoga County Planning Commission membership consists of three county representatives and representatives of eight separate planning regions. The regional representatives are mayors of one of the communities in each planning region who are appointed by the County Executive, except for the City of Cleveland representative, who is appointed by the Mayor of Cleveland; and,

WHEREAS, members of the Cuyahoga County Planning Commission shall serve three year terms; and,

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

WHEREAS, the County Executive has nominated the following to serve on the Cuyahoga County Planning Commission:

- 1) Appointments:
  - i) The Honorable Merle S. Gorden (Hillcrest Region) to fill a vacancy for an unexpired term ending 12/31/2014.
  - ii) The Honorable Sherri A. Lippus (Southwest Region) to fill a vacancy for an unexpired term ending 12/31/2015.
- 2) Reappointment:
  - i) The Honorable Eileen A. Patton (Westshore Region) for the term 1/1/2014 - 12/31/2016.

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution 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 RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby confirms the appointments and reappointment to the Cuyahoga County Planning Commission as follows:

- 1) Appointments:
  - i) The Honorable Merle S. Gorden (Hillcrest Region) to fill a vacancy for an unexpired term ending 12/31/2014.
  - ii) The Honorable Sherri A. Lippus (Southwest Region) to fill a vacancy for an unexpired term ending 12/31/2015.
- 2) Reappointment:
  - i) The Honorable Eileen A. Patton (Westshore Region) for the term 1/1/2014 - 12/31/2016.

**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 eight members of Council, this Resolution shall become immediately effective.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and 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

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: January 28, 2014

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

Journal CC013

February 11, 2014

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0004

Sponsored by: <b>Councilmember Miller</b>	<b>An Ordinance</b> amending and replacing Chapter 701 of the Cuyahoga County Code, incorporating Chapters 706 and 707 of the Cuyahoga County Code into Chapter 701, and renumbering existing Chapters of Title 7 of the Cuyahoga County Code where appropriate to enact a comprehensive set of financial policies for Cuyahoga County.
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WHEREAS, Sections 2.03(9) and 2.03(10) of the Cuyahoga County Charter require the County Executive to submit to Council on a biennial basis a proposed operating budget, capital improvements plan, and detailed supporting financial information on revenues and expenditures; and,

WHEREAS, Section 3.09(5) of the Cuyahoga County Charter gives Council the power to adopt and amend the County's biennial operating budget and capital improvements program and to make appropriations for the County; and,

WHEREAS, the County Office of Budget and Management (OBM) within the Fiscal Office manages the County's budgeting process on behalf of the County Executive; and,

WHEREAS, Chapter 701 of the Cuyahoga County Code was enacted through Ordinance No. O2011-0036 on 9/13/2011 and the power for a biennial operating budget was incorporated into the County Charter by the voters on November 6, 2012; and,

WHEREAS, Chapters 706 and 707 of the Cuyahoga County Code was enacted through Ordinances No. O2011-0056 and O2011-0058 on 5/8/2012; and,

WHEREAS, having a comprehensive, legislative statement of its fundamental financial policies and practices incorporated in the Cuyahoga County would enhance public confidence and operational effectiveness for Cuyahoga County.

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

**SECTION 1.** Chapter 701 of the Cuyahoga County Code is hereby amended and replaced as follows:

**Chapter 701: Cuyahoga County Financial Policies and Practices**

**Section 701.01: Fundamental Financial Policies**

- (A) Section Overview: This section is an aspirational statement of the fundamental principles intended to be followed in Cuyahoga County's financial operations. Subsequent sections specify procedures and operations to be performed, consistent with the fundamental principles.
- (B) Balanced budgeting
  - (1) Cuyahoga County and all agencies supported by County resources will function within the resources identified as available to accomplish their stated programmatic objectives.
  - (2) The County will consistently maintain budgets that are structurally balanced for the long term. Any operating deficits will be limited in size and temporary in nature.
- (C) Revenue sufficiency
  - (1) The County will seek to identify all possible revenue sources to ensure sufficient revenue to meet the needs for those services that are mandated, strongly supported by the electorate, and/or deemed to be of high priority.
  - (2) The County will seek to identify and use a diverse mix to revenue sources to enhance stability and predictability of the revenue stream.
- (D) Controlling the cost of government
  - (1) The County will ensure that services are delivered effectively and efficiently.
  - (2) The County will measure the effectiveness of its programs and services, minimize or eliminate funding for less effective programs and services so that resources may be redirected to programs and services demonstrated to have a direct positive impact on the quality of life for County citizens.
  - (3) The County will actively manage personnel costs and use performance management to improve efficiency and effectiveness.
  - (4) When funding new projects or programs, the County will first consider reallocating existing appropriations before appropriating additional resources

(E) Reserve policy

- (1) The County will seek to maintain reasonable reserve levels in its General Fund and Health and Human Services Levy Fund so as to enable the County to handle cyclical variations in revenue and service demand efficiently and with little or no disruption of programs and services.
- (2) The County shall use a multi-year forecasting process to provide an early identification of unfavorable financial trends. When such unfavorable trends are identified, the County shall take prompt and effective action to insure that long-term structurally balanced budgets and proper reserve levels are maintained.

(F) Budget prioritization

- (1) The Executive and Council will use an effective prioritization system to ensure that limited resources are allocated to those programs and services that the County is mandated to provide and will have that highest degree of positive impact on the quality of life of our citizens.
- (2) The budget prioritization process will emphasize those programs and services that will produce large long-term benefits or cost savings or which will prevent or reduce the need for other expensive County-provided services in the future.

(G) Use of general funds

- (1) Resources in the County's General Fund Operating Account may be used for any and all appropriate County programs and services, including, without limitation, any of the County's human services programs.
- (2) The County will seek to use general funds to leverage more restricted funds, consistent with the County's overall priorities and objectives.

(H) Capital Improvements and Debt Management

- (1) The County will maintain capital spending at sustainable levels and avoid deferring urgently needed maintenance or neglecting the County's capital assets. The County will seek to develop a capital asset development and maintenance program that is highly cost-effective on a long term basis.
- (2) Recognizing that high-quality, well-maintained capital assets enhance the County's ability to provide cost-effective direct services to citizens, the County will balance capital expenditure needs with current needs for direct services.
- (3) The County intends to issue debt only to the extent consistent with the County's ability on a long term basis to meet both debt service

requirements and ongoing operational expenses. In order to restrain the incurrence of long term obligation, the County intends to use current revenue to finance part of its capital improvements program.

**Section 701.02: Role of the Office of Budget and Management (OBM)**

- (A) OBM, under the direction of the Fiscal Officer shall have primary responsibility for monitoring, managing, and forecasting regarding the County’s finances and for prioritizing alternative expenditure options and providing decision support on resource allocation for all County operations.
- (B) OBM shall monitor the County’s budget so as to ensure that all revenue is directed to the proper accounts, that there is capacity for all expenditures, and that all expenditures are made with all required authorizations. To accomplish these purposes, OBM shall make budget adjustments and/or recommendations for budget adjustments, as provided for in Section 701.05.
- (C) OBM shall submit the proposed annual tax budget, biennial operating budget, biennial capital improvements program, and the 2<sup>nd</sup> budget year update on behalf of the County Executive, as provided in Section 2.03, Subsections 9, 10, and 11 of the Cuyahoga County Charter and Section 701.04 of the Cuyahoga County Code.
- (D) OBM shall submit quarterly and monthly financial reports and assist the Fiscal Office in presenting financial information on its website, as provided in Section 701.10.
- (E) OBM shall monitor revenues and expenses on an ongoing basis and update forecasts of revenue and expenses on at least a quarterly basis.

**Section 701.03: Role of County Council**

This section presents the expected process for the County Council in carrying out the County’s financial policies. In accordance with Subsection 3.09(5) of the County Charter, the County Council shall:

- (A) Provide overall legislative oversight of revenues, expenses, and all other financial operations for County government and shall approve all appropriations, including an overall review of County financial operations at least per calendar quarter,
- (B) Consider, amend, and adopt the Tax Budget, Biennial Operating Budget, and Capital Improvements Plan for the County, and
- (C) Consider, amend, and adopt adjustments to the County’s Biennial Operating Budget, as provided in Section 701.05 of the County Code.

#### **Section 701.04: Biennial Operating Budget**

- (A) The biennium for Cuyahoga County's operating budget shall extend from January 1 of even-numbered year through December 31 of the following odd-numbered year.
- (B) The County Executive may perform any of the duties required in this section through his/her duly authorized designees.
- (C) Not later than at the first County Council meeting in October of each odd-numbered year, the County Executive shall submit to Council a proposed operating budget and capital improvements program for the two fiscal years beginning January 1 of the year following submission. The materials submitted shall include all information required by Section 2.03, Subsections 9, 10, and 11 of the Cuyahoga County Charter.
- (D) Not later than at the first County Council meeting in November of each even-numbered year, the County Executive shall submit to Council a report, updating the information provided in Subsection (C) above for the second year of the biennium. If the report includes changes to the budget or capital improvements plan, the County Executive shall submit appropriate legislation along with the report.
- (E) This section shall not alter any obligation placed on any County agency, department, board or commission by the Ohio Revised Code relative to the submittal of its budget in a manner than differs from the process described in this section.
- (F) The County Council shall review, amend as needed, and adopt the biennial operating budget and capital improvements program and make all necessary appropriations not later than December 15<sup>th</sup> of each odd-numbered year.
- (G) Any requests for new programs or services that require an additional appropriation as a part of the biennial budget process or at any other time shall include the following information as part of the request for Council's consideration:
  - (1) Program or service overview detailing the request for additional appropriation;
  - (2) Program or service budget itemizing expenses related to personnel, other operating, and capital outlays;
  - (3) Program or service milestones and/or timelines outlining the program or service's goals and objectives as well as key performance measurements to be done to help ensure that these goals and objectives are met; and

- (4) Program or service staffing levels, documenting the projected staffing levels required for the program, including titles, salary, and benefits.

### **Section 701.05: Financial Management of Operations**

- (A) **Prioritization of Expenditures:** Recognizing that demand for County services will almost always exceed fiscal capacity, the County, through the OBM, shall maintain, use, and update a system of prioritization to assist County departments and agencies in analyzing and making decision support recommendations regarding alternative resource allocation options. OBM shall use this system to enable County departments and agencies to assign expenditure options to one of three or more priority levels, with the highest priority options that accomplish one or more of the following objectives:
  - (1) Provides services required by law, administrative regulation, court order, or current contractual agreement.
  - (2) Promotes effective management control of resources.
  - (3) Provides services required to ensure public safety and welfare.
  - (4) Results in cost reduction in the current fiscal year, will provide substantial cost reductions in future years, or will significantly reduce the need for other expensive services that the County provides.
  - (5) Leverages much of its costs of operations from sources other than local Cuyahoga County funds.
- (B) **Monitoring of Revenues and Expenditures:** OBM shall monitor revenues and expenses on an ongoing basis and compare actual results to budget projections. For the largest revenue sources and for major accounts within the General Fund and the Health and Human Services Levy Fund, OBM shall also compare actual results against actual results from at least the three immediate prior years on a quarterly basis or oftener in order to better control for seasonal variations within fiscal years.
- (C) **Forecasting Horizon:** OBM shall use a forecasting horizon of five years or longer in order to sustain funding for ongoing mandated and priority programs and to navigate periods of economic downturn.
- (D) **Budget Adjustments and Amendments:** Managing the County budget on an ongoing basis, OBM shall submit legislation to Council to authorize any increases or decreases in appropriations, transfers between budget accounts, and cash transfers, except that OBM may make without legislation make budget transfers that are within both the same budget index code and object code.
- (E) **Positive Fund Balances:** OBM shall submit to Council any budget adjustments needed to insure that all County funds have a positive balance at the end of each year and that expenditures in any fund do not exceed the estimate of available resources submitted to the Budget Commission.

- (F) The Fiscal Officer shall certify that sufficient funds are available for all expenditures. The general policy shall be that such certification be made prior to the expenditure of funds; however, in exceptional circumstances when this is not possible, certification may be made by meeting the requirements of the “then and now” certification process authorized under general law.
- (G) Personnel Requests: When submitting requests for personnel above what is authorized in the budget, departments and agencies are expected to do so as part of the biennial budget process or the review prior to the second year of the biennium, so as not to create future obligations that have not been evaluated as part of the budget process.
- (H) In order to provide for a more consistent approach to compensation and benefits for County employees, it shall be policy of the County to request that any Cuyahoga County department, office, agency court, board, commission or other authority to which appropriations are made provide thirty (30) days prior written notice of any planned pay rate adjustments, cost of living adjustments, and/or merit pay awards applicable to all or a significant part of its non-bargaining employees. This provision shall not apply to any such adjustments and/or awards that have been specifically provided for in the biennial operating budget then in effect.
- (I) Authorized Personnel Levels: Personnel levels authorized in the budget for departments and agencies with more than fifty (50) full-time equivalent staff shall be considered an average for the year. Such departments and agencies may exceed the authorized level at times, provided that the average level is consistent with the budget and there is not a carryover of excess staff into a subsequent year, which would require funding that has not been authorized.
- (J) General Fund Reserve
  - (1) The County’s policy shall be to maintain a fund balance reserve, free of any other obligations, in the General Fund, of twenty-five percent (25%) of the current fiscal year’s ongoing General Fund budgeted operating expenses.
  - (2) The General Fund Reserve may only be used to stabilize revenues, mitigate a projected deficit in the current operating period, retire or defease outstanding bonds or notes of the County, fund one-time or unanticipated expenditures, and pay judgments or otherwise settle legal disputes and claims.
  - (3) Any legislative action that results in reducing General Fund reserves below the twenty-five percent (25%) threshold shall contain a provision authorizing the use of reserves.
  - (4) The County Executive shall inform the Council, with at least one hundred twenty (120) days’ notice whenever possible, whenever the County has

obligations that would reasonably be expected to result in the General Fund declining below the twenty-five (25%) threshold.

- (5) At any other time that the Council determines that the use of General Fund reserves within the twenty-five percent (25%) threshold is needed for one or more of the reasons provided for in Subsection 701.05(J)(2), the Council shall by resolution, authorize the use of such reserves.

(K) Health and Human Services Levy Fund Reserve

- (1) The County's policy shall be to maintain a fund balance reserve, free of any other obligations, in the Health and Human Services Levy Fund, of ten percent (10%) of the current fiscal year's ongoing Health and Human Services Levy Fund budgeted operating expenses, except that the Health and Human Services Levy Fund, fund balance reserve shall be fifteen percent (15%) through December 31, 2013.
- (2) The Health and Human Services Levy Fund Reserve may only be used to stabilize revenues, mitigate a projected deficit in the current operating period, retire or defease outstanding bonds or notes of the County, fund one-time or unanticipated expenditures, and pay judgments or otherwise settle legal disputes and claims.
- (3) Any legislative action that results in reducing Health and Human Services Levy Fund reserves below the reserve balance target set in Subsection 701.05(K)(1) shall contain a provision authorizing the use of reserves.
- (4) The County Executive shall inform the Council, with at least one hundred twenty (120) days' notice whenever possible, whenever the County has obligations that would reasonably be expected to result in the Health and Human Services Levy Fund reserve declining below the reserve target set in Subsection 701.05(K)(1).
- (5) At any other time that the Council determines that the use of Health and Human Services Levy Fund reserves within the reserve balance target set in Subsection 701.05(K)(1) are needed for any of the purposes provided for in Subsection 701.05(K)(2), the Council shall, by resolution, authorize the use of such reserves.

(L) Planning Process to Identify and Correct Unfavorable Trends

- (1) OBM shall proactively monitor revenues and expenses to identify threats to the County's ability to maintain General Fund and Health and Human Services Levy Fund reserves at or above the targets provided for in this section with as much lead time as possible, and shall promptly report and such threats to the County Executive and Council and discuss them in its regular financial reports.
- (2) The County Executive and the Council shall conduct a Reserve Stabilization Planning Process whenever any of the following occur:

- (a) The reserve percentage in the General Fund and/or the Health and Human Services Levy Fund reaches a level that is within one percent (1%) of its targeted minimum; or
  - (b) The reserve percentage in the General Fund and/or the Health and Human Services Levy Fund declines by more than three percent (3%) in any fiscal year; or
  - (c) The Executive, OBM, or Council identifies trends expected to bring the General Fund or the Health and Human Services Levy fund below its reserve target within one year; or
  - (d) The Executive and Council for any other reason agree to do so.
- (3) When conducting a Reserve Stabilization Planning Process, the County Executive and Council shall:
- (a) Design the planning process to fit the particular circumstances;
  - (b) Determine a timeline, not to exceed six (6) months, for completion of a plan to address identified financial problems;
  - (c) Develop a plan for the affected fund(s) that restores long term structural balance and maintains or restores the reserve percentage at or above the target level.
  - (d) Provide a process for ongoing monitoring and revision of the plan as needed to ensure stabilization of the affected fund(s).

**Section 701.06: Capital Improvements Financial Policies**

- (A) In order to protect the County’s capital assets and effectively plan for future improvements, the Fiscal Officer shall maintain an up-to-date master listing of all County capital assets and shall develop and implement a written procedure to ensure that all changes in County capital assets are properly and consistently reported and that the master listing is kept up to date. The initial listing shall be completed and the process for updating the list shall be in place no later than December 31, 2014.
- (B) The County shall only commit to capital projects that are within our capability to finance through short and long term resources. All issuance of debt instruments to finance capital improvements shall be done in accordance with the debt management polices provided in Section 701.07 of the County Code.
- (C) Financing decisions on capital projects shall consider the improvement’s useful life and shall allocate capital costs within the expected useful life of the improvement.
- (D) To the extent possible, consistent with completion of essential capital improvements, the County shall prioritize projects that offer the greatest opportunities to leverage resources through intergovernmental programs, public/private partnerships, and service charges or user fees.

- (E) Priority will be given to capital improvements that will enhance the County's ability to provide high quality, cost-effective direct services.
- (F) OBM shall maintain a Capital Improvements Plan, which shall include a list of projects intended to be initiated within the current biennium, along with the estimated cost and intended funding sources for each project, and a list of projects planned to be initiated during each of the next five years following the current biennium. The Plan shall include a recommendation regarding a level of capital improvements spending during the Plan's time frame that would be consistent with long term cost-effectiveness.
- (G) The Capital Improvements Plan shall be considered and acted upon concurrently with the Biennial Operating Budget, and it may be amended at other times by enactment of appropriate legislation.

#### **Section 701.07 Debt Management Policies**

- (A) The proceeds from the sale bonds, notes, or other debt instruments shall not be used for operations, except for tax anticipation or current revenue bonds that mature within the same year of issuance. Bond premiums generated from the sale of debt instruments shall be used only for the payment of principal and interest on the County's debt obligations.
- (B) The County shall adhere to the requirements of general law regarding the types of debt instruments that may be issued, and any debt issued shall be within the direct and indirect debt limitations of the State of Ohio at the time of issuance.
- (C) The Fiscal Officer shall actively monitor the potential impact of financial market conditions on the cost effectiveness of the County's debt financing and may consult with the County Investment Advisory Committee on decisions related to the County's debt portfolio.
- (D) The County will sell notes instead of bonds only as part of a multi-step economic development or construction program or when the Fiscal Officer determines that market conditions make it prudent to do so.
- (E) Bonds shall be rated when sold in order to secure the most favorable market interest rate. Notes shall be rated when it is determined to be financially advantageous to do so.
- (F) The County shall not use derivative products such as interest rate swaps in conjunction with outstanding or newly issued debt.
- (G) The County shall maintain a segregated Bond Retirement Fund from which principal and interest payments on the County's debt instruments shall be made.

- (H) Recognizing that not all factors considered by the bond rating agencies are under the County's direct control, the County shall consistently and on an ongoing basis endeavor to obtain the best possible ratings for its debt instruments.
- (I) The Fiscal Officer shall prepare and publicize an Annual Information Statement so that current financial, economic, and demographic information is disclosed to investors, rating agencies, and the public.
- (J) OBM shall provide reports regarding the County's bonds, notes, and other obligations, as provided for in Subsections 701.10(E) and 701.10(H).

**Section 701.08: Cash Management Financial Policies**

- (A) The Fiscal Officer shall manage a system of separate accounts according to appropriated purpose to ensure that all spending follows the plan authorized in the Biennial Operating Budget.
- (B) Any payment shall be made only when all of the following requirements have been met:
  - (1) Funding for the specific purpose of the payment has been properly appropriated.
  - (2) All applicable approvals required for the payment have been obtained.
  - (3) The payment is made from the proper fund, and there is a sufficient balance in the fund, otherwise unencumbered, to support the payment.
- (C) Payments may only be made by warrant, voucher, electronic transfer, or procurement card, except as otherwise authorized in the County Code or general law.
- (D) The County Executive, in consultation with the County Treasurer, shall establish written policies and procedures regarding transactions involving cash and/or coins to insure that:
  - (1) All cash and coin is properly accounted for at all times; and
  - (2) All transactions are properly documented, and
  - (3) For every transaction, there is a clear chain of command of personal accountability for the transaction.

These policies and procedures shall be considered an integral part of the financial policies of the County and shall be binding on all officers and employees involved in the cash management process.

## **Section 701.09: Investment Management Policies**

- (A) **Scope of Policy:** This section governs the administration, management, and all investment transactions involving all of the County's funds, which include all funds that are under the control of the Fiscal Officer and/or the Treasurer on behalf of Cuyahoga County.
- (B) **Investment Objectives:** The County's investment portfolio shall be managed to accomplish the following objectives, listed in order of importance:
  - (1) Principal preservation;
  - (2) Availability of funds on a timely basis to meet current and future operating requirements of the County; and
  - (3) Maximization of its long term rate of return, consistent with the first two objectives stated above.
- (C) **Investment Advisory Committee:** As stipulated in Ohio Revised Code Section 135.41, there shall be an Investment Advisory Committee, consisting of three members—the County Executive, the County Treasurer, and a representative of the County Council. The representative of the County Council shall be a member of County Council, appointed by the Council President. The Investment Advisory Committee shall approve written County investment policies, assist the County Treasurer in reviewing investment market conditions and County investment performance on at least a quarterly basis, exercise all powers and perform all other duties prescribed to county investment advisory committees in general law, and perform all other duties assigned to it by ordinance that are not inconsistent with general law. The Investment Advisory Committee shall operate in accordance with the public meetings provisions of the County Charter, the County Code, and general law.
- (D) **Investment Policy:** The written investment policy established by the Investment Advisory Committee and the written operating procedures established by the County Treasurer as directed in the written investment policy shall be an integral part of the County's financial policies and shall be binding on all officers and employees involved in the County's investment process.
- (E) **Council Notification of Pending Investment Policy Changes:** The Investment Advisory Committee shall provide written notice to County Council of any pending changes to the written investment policy established by the committee at least seven (7) days before such changes are approved and within seven (7) days after such changes are approved.
- (F) **Portfolio Performance Analysis:** The County Treasurer shall conduct an ongoing analysis of the performance of the County's investment portfolio against the County's investment objectives, policies, procedures and generally recognized performance benchmarks. The County Treasurer shall use this

analysis to better align the county's investments with the County's objectives, policies, and procedures and improve performance against recognized benchmarks, consistent with safety and liquidity. If portfolio performance analysis yields recommendations for investment policy changes, the County Treasurer shall refer such recommendations to the Investment Advisory Committee and simultaneously provide a copy to County Council.

### **Section 701.10: Financial Reporting**

- (A) Budget Documents: OBM shall have primary responsibility for preparing financial documents required in Subsections 701.04(C) and 701.04(D) of the County Code.
- (B) Budget Presentation: Not later than the last day of February of the year following the adoption of each Biennial Operating Budget, OMB shall prepare and publish a public presentation on the budget, containing at least the following elements:
  - (1) An overview of County operations, programs, and finances;
  - (2) A presentation of key financial schedules;
  - (3) A detailed description of the budget process;
  - (4) An analysis of County revenues;
  - (5) An description and analysis of the various fund types;
  - (6) Information related to departmental performance measurement;
  - (7) A presentation of program budgets for each department, office, or agency;
  - (8) A description of the Capital Improvements Plan;
  - (9) A list of the County's outstanding debt obligations and discussion of the County's debt management plan.
- (C) Budget Presentation Update: Not later than the last day of February of the second year following the adoption of each Biennial Operating Budget, OBM shall prepare and publish an update to the public budget presentation, incorporating information provided in the update required by Subsection 701.04(D) and any changes to the Biennial Operating Budget adopted prior to the end of the first year of the biennium.
- (D) Comprehensive Annual Financial Report: The Fiscal Officer shall prepare and publish the Comprehensive Annual Financial Report (CAFR) by June 30 of each year, providing the official financial report on the County's finances through the end of the preceding calendar year.
- (E) The County's external financial audit for each year shall be completed, reviewed, and filed no later than September 30th of the following year.

- (F) Quarterly Reports: OBM shall prepare and publish a quarterly report not later than the last day of the month immediately following the end of each calendar quarter including at least the following:
- (1) An update of projected revenues and expenses for the General Fund, the Health and Human Services Levy Fund, and all funds combined;
  - (2) A presentation of key financial schedules; and
  - (3) A schedule of expenditures to date compared to budget for all County funds;
  - (4) A discussion of budget variances, changes in revenue, and other events that may impact County finances; and
  - (5) A list of changes to the schedule of the County's bonds, notes, and other obligations.
- (G) Monthly Reports: OBM shall prepare and publish a monthly report not later than fifteen (15) days after the end of each calendar month other than months which end a calendar quarter. The monthly report shall consist of a narrative updating the trends in revenues and expenses from the previous quarterly or monthly report. The monthly report may also updates to any of the schedules provided in the quarterly reports at the discretion of OBM.
- (H) Investment Reports: The County Treasurer shall simultaneously send to County Council a copy of any investment reports it is required to send to the Investment Advisory Committee.
- (I) Obligations Reports: As part of each annual presentation of the budget or the budget update, OBM shall include a schedule of all bonds, notes, or other obligations of the County, including for each item at least the initial amount borrowed, the beginning year and length of the obligation, the annual debt service schedule including amounts, a summary of the use of the proceeds, and the projected date of expiration. OBM shall include a list of changes to this schedule with each of its quarterly reports.
- (J) Reserves on General Fund Balance: OBM's presentations of the County's General Fund in annual or quarterly reports or as part of the budget process shall include a listing "reserve on balance" items, which have not yet been appropriated, for which the County intends or may be obligated to appropriate money for in the future. This listing shall distinguish between those items that are expected to be appropriated and those items which represent conditional pledges, obligations, or set asides, but are unlikely to be needed. To the maximum extent possible, items that recur on a regular and predictable basis shall be included in the budget itself, rather than as a reserve on balance. An updated list of General Fund reserves on balance shall be part of the schedules included in the annual and quarterly budget reports.

- (K) Loan Loss Reserve: OBM, in coordination with the Department of Development and any other county agencies, as needed, shall maintain and publish a list of all outstanding loans made by the County, including the amount and term of each loan and the amount of each loan that may be forgivable, if any. OBM shall develop a written process for determining a reasonable and prudent portion of the total loan amount to hold in reserve against nonpayment of loans or the exercise of forgivable loan provisions. The amount determined shall be entered as a reserve on balance against the General Fund and updated at least quarterly.
- (L) The required annual budget certificate for each year shall be submitted to the Budget Commission no later than December 31st of each year.
- (M) Reports to County Council: Any reports required in this chapter to be sent to County Council may be sent electronically and shall be sent to the Clerk of Council, who shall promptly distribute them to the members of Council.
- (N) Fiscal Office Website: All financial reports required under this chapter shall be posted on the Fiscal Office's Website, and such posting shall be the primary means of publication. Such publication may be supplemented with printed copies to the extent needed, as determined by the Fiscal Officer.

**Section 701.11: Rulemaking Authority**

- (A) The Fiscal Officer, Director of OBM, Treasurer, Controller, or Director of Procurement and Diversity may propose rules to establish additional written policies and procedures, consistent with Chapter 701 of the County Code, to provide more specific instructions for the implementation of the County's financial policies. Such proposed rules shall be reviewed and approved for legality and consistency by the Law Director and reviewed and approved overall by the County Executive before becoming effective. The reviews prescribed in the foregoing sentence shall also apply to the investment policy operating rules established by the County Treasurer as directed in the Investment Advisory Committee's written investment policy. Any such operating rules in effect at the time that this section becomes effective shall undergo the reviews provided for in this section and may be revised as determined by such reviews but the current operating rules shall remain in effect until any changes resulting from such reviews are approved. All rules established under this subsection shall be considered an integral part of the financial policies of the County, and shall be binding on all officers and employees involved in the County's financial processes.
- (B) The Fiscal Officer shall publish on the County's website, and update when amended, a document containing all of the County's financial policies, including Chapter 701 of the County Code and any additional policies, procedures, processes, lists, targets, or other elements that are incorporated into the County's financial policies in this chapter. The financial policies document



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0037

<p>Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b></p>	<p><b>A Resolution</b> amending the 2014/2015 Biennial Operating Budget for 2014 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices, and agencies; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, on December 10, 2013, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program for 2014/2015 (Resolution No. R2013-0229) establishing the 2014/2015 biennial budget for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2014 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 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following additional appropriation increases and decreases:

**Fund Nos./Budget Accounts**

**Journal Nos.**

A. 21A402 – Saint Luke’s Foundation **BA1400377**  
CF140004 – Strength Workers, Strength Families  
Other Expenses \$ 75,000.00

Funding Source: The Saint Luke’s Foundation of Cleveland in support of the Saint Luke’s Foundation-Resilient Families Program (“Strengthening Workers, Strengthening Families”) in the amount of \$75,000.00 grant award for the period commencing January 1, 2014 through December 31, 2014.

B. 40A526 – Ohio Department of Transportation (ODOT) - Local **BA1400382**  
Projects Administration (LPA)  
CE785006 – ODOT-LPA  
Other Expenses \$ 5,500,000.00

Funding Source: Funding for the ODOT-LPA fund usually comes from 80% Ohio Department of Transportation dollars and 20% from County funds.

C. 40A524 – Ohio Department of Public Works Integrating **BA1400382**  
Committee (Issue I)  
CE785238 – Barrett Road  
Other Expenses \$ 1,000,000.00

Funding Source: Funding for Issue I projects comes from the Ohio Department of Public Works Integrating Committee and from the County in varying percentages.

D. 20A058– Special Project II **BA1400388**  
CO456111 –Special Project II  
Other Expenses \$ 250,000.00  
Capital Outlays \$ 100,000.00

Funding Source: Funding is from court costs specifically identified for this fund covering the period January 1, 2014 through December 31, 2014. Sufficient cash exists in the fund for this request.

E. 22A270– HWAP W/City of Cleveland **BA1400396**  
DV725382 –HWAP 2013/2014 W/City of Cleveland  
Personal Services \$ (1.51)

Funding Source: Funding agreement with the City of Cleveland covering the period October 1, 2013 through June 30, 2014.

F. 22A794– US EPA 2008 Brownfield Relief **BA1400398**  
DV713404 –US EPA 2008 Brownfield Relief  
Other Expenses \$ 600,000.00

Funding Source: Funding for the federal award is from the United States Environmental Protection Agency covering the period October 1, 2008 through July 31, 2015.

G.	22A105 – HUD Section 108 DV711606-HUD Section 108 Other Expenses	\$ 7,292.78	<b>BA1400399</b>
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Funding Source: Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2014 through December 31, 2014.

H.	01A001 – General Fund MC001016 – Global Center Operating Account Other Expenses	\$ 198,000.00	<b>BA1400636</b>
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Funding Source: Funding for the Global Center Operating Account comes from the General Fund and is a permanent use of reserves.

I.	40A069 – Capital Projects Future Debt Issuance CC768275 – County Hotel – Demolition and Construction Other Expenses	\$ 690,000.00	<b>BA1400636</b>
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Funding Source: This additional appropriation is classified as a temporary use of reserves, with funding provided by a future debt issuance.

**SECTION 2.** That the 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM:	<b>BA1400391</b>
01A001 – General Fund	
IT601047 – Web & Multi-Media Development	
Other Expenses	\$ 10,498.31
01A001 – General Fund	
IT601161 – Communications Services	
Other Expenses	\$ 3,458.00
TO:	
01A001 – General Fund	
IT601047 – Web & Multi-Media Development	
Capital Outlay	\$ 10,498.31
01A001 – General Fund	
IT601161 – Communications Services	
Capital Outlay	\$ 3,458.00

Funding Source: Funding comes from the General Fund.

B. FROM:	21A036 – Family Justice Center Project JA753079 – Family Justice Center Project 2009/2011 Personal Services	\$ 60,000.00	<b>BA1400383</b>
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TO: 21A036–Family Justice Center Project  
 JA753079 –Family Justice Center Project 2009/2011  
 Other Expenses \$ 60,000.00

Funding Source: Funding is from the Department of Justice covering the period October 1, 2009 and extended to March 31, 2014.

C. FROM: 01A001 – General Fund **BA1400385**  
 JA050088 –Justice Services Administration  
 Other Expenses \$ 17,500.00

TO: 01A001–General Fund  
 JA050088 –Justice Services Administration  
 Capital Outlays \$ 17,500.00

Funding Source: Funding is from the General Fund covering the period January 1, 2014 through December 31, 2014.

D. FROM: 20A809 – Witness Victim **BA1400386**  
 JA107425 –Witness Victim  
 Other Expenses \$ 30,000.00

TO: 20A809–Witness Victim  
 JA107425 –Witness Victim  
 Capital Outlays \$ 30,000.00

Funding Source: Funding is from a General Fund subsidy covering the period January 1, 2014 through December 31, 2014.

E. FROM: 20A814 – Wireless 9-1-1 Government Assistance **BA1400387**  
 JA106773 –Wireless 9-1-1 Government Assistance  
 Other Expenses \$ 45,000.00

TO: 20A814–Wireless 9-1-1 Government Assistance  
 JA106773 –Wireless 9-1-1 Government Assistance  
 Capital Outlays \$ 45,000.00

Funding Source: Funding is cell phone service fees covering the period January 1, 2014 through December 31, 2014.

F. FROM: 21A342 –NEORFC-FY09 (SHSPLE) **BA1400392**  
 JA767996 –NEORFC-FY09 (SHSPLE)  
 Personal Services \$ 5,800.00

TO: 21A342–NEORFC-FY09 (SHSPLE)  
 JA767996 –NEORFC-FY09 (SHSPLE)  
 Other Expenses \$ 5,800.00

Funding Source: Funding is from the United States Department of Homeland Security, State Homeland Security Program for Law Enforcement covering the period August 1 2009 through March 31, 2014.

G. FROM: 21A500 –Urban Area Security Initiative (URSI) **BA1400394**  
 JA741520 –FY11 Urban Area Security Initiative (UASI)  
 Capital Outlays \$ 18,000.00

TO: 21A500–Urban Area Security Initiative (URSI)  
 JA741520 –FY11 Urban Area Security Initiative (UASI)  
 Other Expenses \$ 18,000.00

Funding Source: Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2008 through September 30, 2014.

**SECTION 3.** That the 2014/2015 Biennial Operating Budget for 2014 be amended to provide for the following cash transfers between County funds.

<u>Fund Nos. /Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM: 40A526 – Ohio Department of Transportation (ODOT) Local Projects Administration (LPA) CE785006 – ODOT-LPA Transfer Out \$ 5,500,000.00	<b>JT1405214</b>
FROM: 40A524 – Ohio Department of Public Works Integrating Committee (Issue I) CE785238 – Barrett Road Transfer Out \$ 1,000,000.00	<b>JT1405214</b>
TO: 26A601 – General Gas and License Fees CE411058 – County Engineer - Administration Revenue Transfer \$ 6,500,000.00	

Funding Source: Funding for the Ohio Department of Transportation Local Project Administration is 80% Ohio Department of Transportation and 20% from County funds. Funding for Issue I projects comes from the Ohio Department of Public Works Integrating Committee and from the County in varying percentages.

B. FROM: 21A500–Urban Area Security Initiative (UASI) **JT1400000**  
 JA741520– FY11 Urban Area Security Initiative  
 Transfer Out \$ 57,205.55

TO: 21A900 –Regional Collaboration Project  
 JA753822 – Regional Collaboration Project 2011/2014  
 Revenue Transfer \$ 57,205.55

Funding Source: Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2011 through April 30, 2014.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC013  
February 11, 2014



EDWARD FITZGERALD  
Cuyahoga County Executive

CUYAHOGA COUNTY  
FISCAL OFFICER



**February 4, 2014**

**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 February 11, 2014, are presented below.

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

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

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

<b>Other Operating Funds</b>	<b>Amount</b>
Common Pleas Court – To appropriate funds in the Special Projects II account to cover projects. Funding is from court costs.	350,000.00
<b>TOTAL</b>	<b>\$350,000</b>

<b>Grants/Projects</b>	<b>Amount</b>
Children & Family Services – To appropriate a recent award from the Saint Luke’s Foundation of Cleveland in support of the Saint Luke’s Foundation Resilient Families Program.	\$75,000.00
Public Works/Road & Bridge – Additional appropriation to cover a cash transfer from the Ohio Department of Transportation Local Projects Administration (\$5.5 million) and the Ohio Department of Public Works Integrating Committee (\$1.0 million) to the General Gas and License Fee fund to reverse an entry at year-end.	\$6,500,000.00
Development – Reducing appropriation in the Home Weatherization Assistance Program (2013/2014) grant per the amended funding agreement with the City of Cleveland.	-\$1.51
Development – To appropriate supplemental award from the U.S. Environmental Protection Agency for the Environmental Protection Agency 2008 Brownfield Relief grant.	\$600,000.00
Development – To appropriate revenues received from loan recipients to cover the payment of fees, interest and principle per program guidelines. Funding is from the U.S. Department of Housing and Urban Development.	\$7,292.78
Global Center Operating Account – Additional appropriation to cover the payment of property and business interruption insurance per the Amended and Restated Sublease Operating Agreement. Funding is from the General Fund and is a permanent use of reserves.	\$198,000.00
Capital Projects – Additional appropriation to cover the Builders Risk, Owner Protective Professional Indemnity and Environmental Liability Insurance for the new County Hotel Demolition and Construction account. Funding is from a future debt issuance and is a temporary use of reserves.	\$690,000.00

<b>TOTAL</b>	<b>\$8,070,291.27</b>
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<b>Total Additional Appropriations - All Funds</b>	<b>\$8,420,291.27</b>
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The following represents the overall changes made to the Annual Appropriation Measure for 2014 since its adoption on December 10, 2013 Resolution R2012-0229. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

**APPROPRIATION STATUS SUMMARY:**

	<u>01/28/14 Agenda</u>	<u>Year to Date*</u>	<u>Adjusted Annual Appropriation</u>
General Fund Impact	\$ 0.00	\$ 377,204,012.00	\$ 377,204,012.00
HHS Levy Impact	\$ 0.00	\$ 235,311,170.00	\$ 235,210,013.00
Other Fund Impact	\$ 8,420,291.27	\$ 693,095,162.00	\$ 734,107,738.64
<b>Total Impact</b>	<b>\$ 8,420,291.27</b>	<b>\$1,305,610,344.00</b>	<b>\$ 1,346,622,920.64</b>

\* 2014-2015 appropriation levels adopted by resolution R2013-0229 on December 10, 2014.

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

<b>General Fund/Health &amp; Human Services *</b>	<b>Amount</b>
Information Technology – Realigning appropriation to cover equipment purchase for the transition from Sprint to AT&T devices and to replace a broken camcorder. Funding is from the General Fund.	\$13,956.31
Justice Services – Realigning appropriation within the Justice Services Administration fund to cover a pending requisition. Funding is from the General Fund.	\$17,500.00
Justice Services – Realigning appropriation within Witness Victim to cover a pending requisition. Funding is from a General Fund subsidy.	\$30,000.00
<b>TOTAL</b>	<b>\$61,456.31</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Justice Services – Realigning appropriation within the Wireless 9-1-1 Government Assistance fund to cover a pending purchase of routers necessary for the connectivity upgrades related to the NextGen system. Funding is cell phone service fees.	\$45,000.00
<b>TOTAL</b>	<b>\$45,000.00</b>

<b>Grants/Projects</b>	<b>Amount</b>
Justice Services – Realigning appropriation within the Family Justice Center Project 2009/2011 to cover a contract amendment with Main Sail for the client tracking database. Funding is from the Department of Justice.	\$60,000.00
Justice Services – Realigning appropriation within the Northeast Ohio Regional Fusion Center FY2009 State Homeland Security Program Law Enforcement to comply with recent approved budget modifications. Funding is from the U.S. Department of Homeland Security, State Homeland Security Program for Law Enforcement.	\$5,800.00
Justice Services – Realigning appropriation within the Urban Area Security Initiative (URSI) fund to cover a pending purchase of Ciprofloxacin per agreement with the Board of Health. Funding is from the U.S. Department of Homeland Security.	\$18,000.00
<b>TOTAL</b>	<b>\$83,800.00</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$190,256.31</b>
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**Cash Transfer Summary** – Operating transfers support operating expenditures, related to a cash matches for a grants, transfer of taxes or fees to a debt service fund, transfers from the General Fund to a capital project fund or operating subsidies to special revenue funds, enterprise funds, or internal service funds. This type of transaction posts as an expenditure and sufficient appropriation must be available to process the transaction.

<b>Grants/Projects</b>	<b>Amount</b>
Public Works/Road & Bridge – A cash transfer from the Ohio Department of Transportation Local Projects Administration and the Ohio Department of Public Works Integrating Committee (Issue I) to the General Gas and License Fees fund to reverse a year-end transfer.	\$6,500,000.00
Justice Services – A cash transfer from the Urban Area Security Initiative (UASI) to the Regional Collaboration Project to cover reported expenses in October and November 2013. Funding is from the U.S. Department of Homeland Security.	\$57,205.55
<b>TOTAL</b>	<b>\$6,557,205.55</b>
<b>Total Cash Transfers - All Funds</b>	<b>\$6,557,205.55</b>

Thank you for your consideration regarding this matter.

Sincerely,



W. Christopher Murray, II  
 Interim Director, Office of Budget & Management  
[cmurray@cuyahogacounty.us](mailto:cmurray@cuyahogacounty.us)  
 (216) 443-7175  
 Fax: (216) 443-8193



## MEMORANDUM

**DATE:** January 22, 2014  
**TO:** Matthew Rubino  
**FROM:** Jennifer Jackson  
**SUBJECT:** Appropriation Increase Request: USEPA Grant 08'  
**CC:** Chuck Cavano, Harry Conard, Sybil Haney, Michael May

Please accept this memorandum as a request to increase appropriation to our US EPA FY 08 Revolving Loan Fund grant. Two award letters from the US Environmental Protection Agency has been attached to this memo stating the increase in the grant award.

### **Funding Information:**

DV713404 /794100

Sub object: 0278 \$600,000.00

### **Impact of Approval**

Development has agreed to manage Brownfield Revolving loans for the purpose of making loans and sub grants to eligible entities for cleanup of hazardous substances and petroleum at eligible Brownfield sites in Cuyahoga County.

### **Consequences of Denial**

Contractual obligation to the US Environmental Protection Agency we could be in fault of federal laws and regulations.

Department of Development, Reserve Square 1<sup>st</sup> Floor  
1701 E 13<sup>th</sup> Street, Cleveland Ohio 44114  
Main (216) 443-7260 Fax (216) 443-7258



EDWARD FITZGERALD  
Cuyahoga County Executive

CUYAHOGA COUNTY  
FISCAL OFFICER



**MEMORANDUM**

TO: Jeanne Schmotzer, Clerk of Council

FROM: W. Christopher Murray, II, Interim Director, Office of Budget & Management

DATE: February 4, 2014

RE: Fiscal Resolution 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 February 11, 2014. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

**Resolution: Additional Appropriations**

A.	21A402 – Saint Luke’s Foundation	<b>BA1400377</b>
	CF140004 – Strength Workers, Strength Families	
	Other Expenses	\$ 75,000.00

To provide appropriations for Children and Family Services recent award from the Saint Luke’s Foundation of Cleveland in support of the Saint Luke’s Foundation-Resilient Families Program (“Strengthening Workers, Strengthening Families”) in the amount of \$75,000.00 grant award for the period commencing January 1, 2014 through December 31, 2014. The grant will enable DCFS to fulfill its mission with families through a comprehensive effort in the area of workforce development. Agency leadership will work to identify problems, review national best practices and ultimately develop a comprehensive workforce plan. Areas to be addressed include, but are not limited to: Leadership Academy development, Retention strategies for existing staff, Development of “dashboards” to identify key measures at various points in the workforce “pipeline”. The grant award was accepted by the County Executive on January 1, 2014.

B.	40A526 – Ohio Department of Transportation (ODOT) - Local	<b>BA1400382</b>
	Projects Administration (LPA)	
	CE785006 – ODOT-LPA	
	Other Expenses	\$ 5,500,000.00

Appropriation is requested in the Columbus Road Lift Bridge project to enable a cash transfer of \$5.5 million from this project to the General Gas and License Fees fund which will reverse an entry at year end. At year end, a \$5.5 million transfer from the General Gas and License Fee fund to the ODOT-LPA fund was posted to eliminate a negative cash balance in the ODOT-LPA fund. The auditor of state requested that the County eliminate negative cash balances in all funds at year end. This entry will reverse the year end entry and return money to the General Gas and License Fee Fund. Funding for the

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

ODOT-LPA fund usually comes from 80% Ohio Department of Transportation dollars and 20% from County funds.

C.	40A524 – Ohio Department of Public Works Integrating Committee (Issue I) CE785238 – Barrett Road Other Expenses	\$ 1,000,000.00	<b>BA1400382</b>
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Appropriation is requested in the Barrett Road project to enable a cash transfer of \$1.0 million from this project to the General Gas and License Fees fund which will reverse an entry at year end. At year end, a \$1.0 million transfer from the General Gas and License Fee fund to the Issue I fund was posted to eliminate a negative cash balance in the Issue I fund. The auditor of state requested that the County eliminate negative cash balances in funds at year end. This entry will reverse the year end entry and return money to the General Gas and License Fee fund. Funding for Issue I projects comes from the Ohio Department of Public Works Integrating Committee and from the County in varying percentages.

D.	20A058– Special Project II CO456111 –Special Project II Other Expenses Capital Outlays	\$ 250,000.00 \$ 100,000.00	<b>BA1400388</b>
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Establish appropriations in the Common Pleas Court Special Project II account. Projects were not known at the time of budget development but the Court now has determined specific needs. Funding is from court costs specifically identified for this fund covering the period January 1, 2014 through December 31, 2014. Sufficient cash exists in the fund for this request.

E.	22A270– HWAP W/City of Cleveland DV725382 –HWAP 2013/2014 W/City of Cleveland Personal Services	\$ (1.51)	<b>BA1400396</b>
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Reduce appropriations in the Department of Development Home Weatherization Assistance Program (HWAP) 2013/2014 grant per the amended funding agreement with the City of Cleveland covering the period October 1, 2013 through June 30, 2014.

F.	22A794– US EPA 2008 Brownfield Relief DV713404 –US EPA 2008 Brownfield Relief Other Expenses	\$ 600,000.00	<b>BA1400398</b>
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Increase appropriations in the Department of Development United States Environmental Protection Agency 2008 Brownfield Relief grant for a supplemental award. Although the grant requires a cash match the amount is provided by the successful applicants since the projects exceed the amount of the funds provided under the grant and as such not required to be funded by the County. Funding for the federal award is from the United States Environmental Protection Agency covering the period October 1, 2008 through July 31, 2015.

G.	22A105 – HUD Section 108 DV711606-HUD Section 108 Other Expenses	\$ 7,292.78	<b>BA1400399</b>
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Provide additional appropriations in the Department of Development Housing and Urban Development (HUD) 108 account for revenues received from loan recipients to be programmed for the payment of fees, interest and principle per guidelines of the program where all revenues are to be available for programming. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2014 through December 31, 2014.

H.	01A001 – General Fund	<b>BA1400636</b>
	MC001016 – Global Center Operating Account	
	Other Expenses	\$ 198,000.00

Additional appropriation is requested in the Global Center for Health Innovation/Convention Center (GCHI-CC) operating account to pay for property and business interruption insurance for 2014. The Amended and Restated Sublease and Operating Agreement for the GCHI-CC states that the County shall pay property insurance on the GCHI-CC in addition to the monthly operating payments. Funding for the Global Center Operating Account comes from the General Fund and is a permanent use of reserves.

I.	40A069 – Capital Projects Future Debt Issuance	<b>BA1400636</b>
	CC768275 – County Hotel – Demolition and Construction	
	Other Expenses	\$ 690,000.00

Additional appropriation is requested in the new County Hotel Demolition and Construction account to pay for Builders Risk, Owner Protective Professional Indemnity (OPPI) and Environmental Liability insurance. This additional appropriation is classified as a temporary use of reserves, with funding provided by a future debt issuance.

**Resolution: Appropriation Transfers:**

A.	FROM:	01A001 – General Fund	<b>BA1400391</b>
		IT601047 – Web & Multi-Media Development	
		Other Expenses \$	10,498.31
		01A001 – General Fund	
		IT601161 – Communications Services	
		Other Expenses \$	3,458.00
	TO:	01A001 – General Fund	
		IT601047 – Web & Multi-Media Development	
		Capital Outlay \$	10,498.31
		01A001 – General Fund	
		IT601161 – Communications Services	
		Capital Outlay \$	3,458.00

This request would transfer appropriation to the capital outlay budget line to purchase equipment to be used for the transition from Sprint phones to the AT&T devices and to replace a broken Camcorder. Funding comes from the General Fund.

B.	FROM:	21A036 – Family Justice Center Project	<b>BA1400383</b>
		JA753079 –Family Justice Center Project 2009/2011	
		Personal Services \$	60,000.00
	TO:	21A036–Family Justice Center Project	
		JA753079 –Family Justice Center Project 2009/2011	
		Other Expenses \$	60,000.00

Transfer appropriations within the Department of Public Safety and Justice Services, Family Justice Center Project 2009/2011 to allow a pending contract amendment with Main-Sail for the 2014 Family Justice Center client tracking database. Funding is from the Department of Justice covering the period October 1, 2009 and extended to March 31, 2014.

C.	FROM:	01A001 – General Fund	<b>BA1400385</b>
		JA050088 –Justice Services Administration	
		Other Expenses \$	17,500.00
	TO:	01A001–General Fund	
		JA050088 –Justice Services Administration	
		Capital Outlays \$	17,500.00

Transfer appropriations within the Department of Public Safety and Justice Services, Justice Services Administration account for a pending requisition (RQ29843). Funding is from the General Fund covering the period January 1, 2014 through December 31, 2014.

D.	FROM:	20A809 – Witness Victim	<b>BA1400386</b>
		JA107425 –Witness Victim	
		Other Expenses \$	30,000.00

TO: 20A809–Witness Victim  
 JA107425 –Witness Victim  
 Capital Outlays \$ 30,000.00

Transfer appropriations within the Department of Public Safety and Justice Services, Witness Victim account for a pending requisition (RQ29843). Funding is from a General Fund subsidy covering the period January 1, 2014 through December 31, 2014.

E. FROM: 20A814 – Wireless 9-1-1 Government Assistance **BA1400387**  
 JA106773 –Wireless 9-1-1 Government Assistance  
 Other Expenses \$ 45,000.00

TO: 20A814–Wireless 9-1-1 Government Assistance  
 JA106773 –Wireless 9-1-1 Government Assistance  
 Capital Outlays \$ 45,000.00

Transfer appropriations within the Department of Public Safety and Justice Services, Wireless 9-1-1 Government Assistance fund for the pending purchase of routers necessary for the connectivity upgrades related to the NextGen system. Funding is cell phone service fees covering the period January 1, 2014 through December 31, 2014.

F. FROM: 21A342 –NEORFC-FY09 (SHSPLE) **BA1400392**  
 JA767996 –NEORFC-FY09 (SHSPLE)  
 Personal Services \$ 5,800.00

TO: 21A342–NEORFC-FY09 (SHSPLE)  
 JA767996 –NEORFC-FY09 (SHSPLE)  
 Other Expenses \$ 5,800.00

Transfer appropriations within the Department of Public Safety and Justice Services, Northeast Ohio Regional Fusion Center (NEORFC) FY2009 State Homeland Security Program-Law Enforcement (SHSPLE) to comply with recent approved budget modification. Funding is from the United States Department of Homeland Security, State Homeland Security Program for Law Enforcement covering the period August 1 2009 through March 31, 2014.

G. FROM: 21A500 –Urban Area Security Initiative (URSI) **BA1400394**  
 JA741520 –FY11 Urban Area Security Initiative (UASI)  
 Capital Outlays \$ 18,000.00

TO: 21A500–Urban Area Security Initiative (URSI)  
 JA741520 –FY11 Urban Area Security Initiative (UASI)  
 Other Expenses \$ 18,000.00

Transfer appropriations within the Department of Public Safety and Justice Services, FY2011 Urban Area Security Initiative in anticipation of a pending purchase of Ciprofloxacin per agreement with the Board of Health. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period August 1, 2008 through September 30, 2014.

**Resolution: Cash Transfers:**

A.	FROM:	40A526 – Ohio Department of Transportation (ODOT) Local Projects Administration (LPA) CE785006 – ODOT-LPA Transfer Out	\$	5,500,000.00	<b>JT1405214</b>
	FROM:	40A524 – Ohio Department of Public Works Integrating Committee (Issue I) CE785238 – Barrett Road Transfer Out	\$	1,000,000.00	<b>JT1405214</b>
	TO:	26A601 – General Gas and License Fees CE411058 – County Engineer - Administration Revenue Transfer	\$	6,500,000.00	

A cash transfer is requested from the ODOT-LPA fund and the Issue I fund to the General Gas and License Fee fund to return money that was lent to these funds at year end. The state auditor requires that negative cash balances be eliminated in funds at year end. This requirement necessitated the \$6.5 million transfer from the General Gas and License Fee fund to the ODOT-LPA fund and the Issue I fund to eliminate their negative cash balances. Now that year end is completed, the \$6.5 million needs to be returned to the General Gas and License Fee fund. The cash transfer above returns the money to the General Gas and License Fee fund.

B.	FROM:	21A500–Urban Area Security Initiative (UASI) JA741520– FY11 Urban Area Security Initiative Transfer Out	\$	57,205.55	<b>JT1400000</b>
	TO:	21A900 –Regional Collaboration Project JA753822 – Regional Collaboration Project 2011/2014 Revenue Transfer	\$	57,205.55	

Transfer from the Urban Area Security Initiative (UASI) to the Regional Collaboration Project 2011/2014 for expenses reported in October and November 2013. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2011 through April 30, 2014.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0030

<p>Sponsored by: <b>County Executive FitzGerald/Departments of Law and Public Works</b></p>	<p><b>A Resolution</b> approving a Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 58 employees in 6 classifications in the Department of Public Works/Division of Maintenance (Sewer) for the period 1/1/2013 - 12/31/2015; 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.</p>
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WHEREAS, the Cuyahoga County Department of Law has been engaged in negotiations with the Teamsters Local 436, Affiliated with the International Brotherhood of Teamsters in an effort to negotiate a collective bargaining agreement (“CBA”) that includes approximately 58 employees in 6 classifications in the Department of Public Works/Division of Maintenance (Sewer); and,

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

WHEREAS, on or about January 17, 2014, the members of the bargaining unit met and voted to ratify the proposed collective bargaining agreement in full; and,

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

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

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

WHEREAS, the Department of Law and the County Executive are recommending that Council approve the proposed Collective Bargaining Agreement for the period 1/1/2013 – 12/31/2015; and,

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

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

**SECTION 1.** The Cuyahoga County Council hereby approves the Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, Affiliated with the International Brotherhood of Teamsters, representing approximately 58 employees in 6 classifications in the Department of Public Works/ Division of Maintenance (Sewer) for the period of 1/1/2013 – 12/31/2015, and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** Funds necessary to implement the CBA between the Cuyahoga County and Teamsters, Local 436, Affiliated with the International Brotherhood of Teamsters shall be budgeted and appropriated.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Legislation Withdrawn from Consideration at the Request of the Department of Law:  
January 28, 2014

Legislation Amended and Reintroduced at the Request of the Department of Law:  
February 11, 2014

Journal CC013  
February 11, 2014

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0038

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> declaring that public convenience and welfare requires resurfacing of Bennett Road from Edgerton Road to just south of Bridgewater Drive in the City of North Royalton; total estimated project cost \$1,580,669.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/ Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires the resurfacing of Bennett Road to just south of Bridgewater Drive in the City of North Royalton and that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and

WHEREAS, the anticipated construction cost for this improvement is \$1,580,669.00; and

WHEREAS, this project will be funded as follows: (a) 80% or \$1,264,536.00 will be paid from the County's Road and Bridge Fund, and (b) 20% or \$316,133.00 by the City of North Royalton; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure; and

WHEREAS, the project is located at Bennett Road from Edgerton Road to just south of Bridgewater Drive in the City of North Royalton in Council District 5; and

WHEREAS, the anticipated start date for construction of this project is 2015; and

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

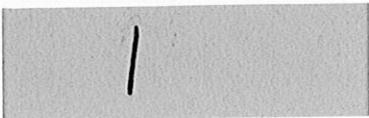


\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Date

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

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



**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept.Head Name:</b>	Jamal H. Husani
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Lori Birschbach-Tober	<b>Telephone No.</b>	216-443-7650
<b>SUMMARY OF REQUESTED ACTION:</b>			
<u>The request for Council action does not involve a contract.</u>			
<b>A. Scope of Work Summary</b>			
1. Department of Public Works requesting that Council find:			
a) that the public convenience and welfare requires the resurfacing of Bennett Road from Edgerton Road to just south of Bridgewater Drive in the City of North Royalton;			
b) that special assessments are not to be levied and collected to pay any part of the County's costs of these improvements			
c) authorize the County Executive to enter into and execute the necessary agreements of cooperation with the appropriate municipalities.			
The anticipated construction cost for this improvement is \$1,580,669 (North Royalton-\$316,133.00, County Road and Bridge - \$1,264,536.00). The anticipated start date for construction of these projects is 2015.			
2. The primary goal of this request is to begin the process of Council review and approval of these projects. The primary goal of the projects themselves is to properly maintain the County's infrastructure.			
3. N/A			
<b>B. Procurement - N/A</b>			
<b>C. Contractor and Project Information</b>			
1. N/A			
2. N/A			
3a. The location of the project is Bennett Road from Edgerton Road to just south of Bridgewater Drive in the City of North Royalton.			
3b. The project is located in Council District 5.			
<b>D. Project Status and Planning</b>			
1. The project is new to the County.			

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

**E. Funding**

1. These projects are to be funded 80% with County Road and Bridge Fund and 20% City of North Royalton.  
2. N/A  
3. N/A

**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:**

<b>Funding source:</b>	<b>Explanation:</b>
Other	County Road and Bridge/North Royalton

**Total Amount Requested:**

\$

**ATTACHMENTS:**

Click to download

- [Project Fact Sheet for Bennett Road Resurfacing](#)

**History**

**Time**

**Who**

**Approval**

Clerk of the Board



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0039

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> approving Right-of-Way plans as set forth in Plat No. M-5018 for rehabilitation of East 49 <sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended approval of the Right-of Way plans as set forth in Plat No. M-5018 for rehabilitation of East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; and,

WHEREAS, Resolution No. R2013-0004 was adopted on January 22, 2013 which declared that public convenience and welfare requires rehabilitation of East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland; and,

WHEREAS, the current estimated construction cost is \$1,940,000.00, with 25% of eligible costs being funded with Issue I funds, and 75% being funded by the County (Road and Bridge Fund); and,

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

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

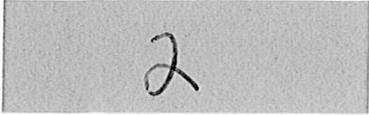
**SECTION 1.** That the Cuyahoga County Council hereby approves Right-of-Way plans as set forth in Plat No. M-5018 for rehabilitation of East 49<sup>th</sup> Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland.

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

**SECTION 3.** That all proceedings relative to Right-of-Way Plat No. M-5018 are hereby ordered copied into the Road Record of the County by Department of Public



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



**Item Details:**

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

**SUMMARY OF REQUESTED ACTION:**

**Scope of Work Summary**

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

The Department of Public Works is seeking the following in connection with the rehabilitation of East 49th Street Bridge No. 00.54 over abandoned railroad tracks in the City of Cleveland:

- a) Approval of right-of-way plans, denoted as M-5018; and,
- b) Authority to acquire required right-of-way.

A finding that special assessments are not to be levied and collected to pay any part of the County's costs of these improvements was made in R2013-0004, adopted on January 22, 2013, which declared that the public convenience and welfare requires the rehabilitation of said Bridge.

Since Monday, January 20, 2014 and continuing until the Resolution granting the requested action is either adopted or rejected, the Department of Public Works has posted and provided continuous notice of the following on its website:

- a. The Department of Public Works has submitted the right-of-way plans for the East 49th Street Bridge No. 00.54 Project for County Council approval and that the same are available for viewing on said website;
- b. The Department of Public Works intends to acquire right-of-way for said improvement;
- c. That a First Reading of the Resolution approving the revised right-of-way plans will be made by the Cuyahoga County Council at its meeting scheduled to begin at 5:00 p.m. on February 11, 2014; and,
- d. That general public access and ability to review the right-of-way plans via an electronic link as indicated.

There are a total of 3 owners of 7 parcels associated with the acquisition of right-of-way for

this project. There will be 3 parcels acquired for permanent right-of-way, 3 parcels acquired temporarily for construction, grading, seeding and equipment access, and one permanent easement to construct and maintain a stone wing wall, subsurface drainage and slope. The City of Cleveland is one of the three owners, with 2 owners being private entities.

2. The primary goal of this project is to rehabilitate the bridge in order to improve safety, extend its service life and replace/resurface adjacent roadway.

3. NA

**B. Procurement**

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

**C. Contractor and Project Information**

- 1. N/A
- 2. N/A
- 3.a. The location of the project is in the City of Cleveland. The project is located in Council District 7.

**D. Project Status and Planning**

- 1. Construction is expected to begin in 2014.
- 2. N/A
- 3. N/A
- 4. N/A
- 5. N/A

**E. Funding**

1. As noted above, this Legislative Action Request does not involve a contract. There will be subsequent, separate Legislative Action Requests to award settlement amounts, or to commence appropriation actions, for all required parcels.

The current estimated construction cost is \$1,940,000, with 25% of the eligible costs being funded with Issue I funds, and 75% being funded by the County (Road and Bridge Fund).

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

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

The purpose/outcome of this legislative action is: 1) Approval of right-of-way plans; and, 2) Authority to acquire required right-of-way.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

<b>Funding source:</b> Other	<b>Explanation:</b> 25% Issue I and 75% Road and Bridge Fund
<b>Total Amount Requested:</b> \$	

**ATTACHMENTS:**

Click to download

- [East 49th St. Bridge No. 00.54 Right-of-Way Plans M-5018](#)

**History**

**Time**

**Who**

Clerk of the Board

**Approval**



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0040

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> authorizing a Purchase and Sale Agreement with Playhouse Square Foundation in the amount of \$1.00 for the sale of County-owned property commonly known as the Loew’s Building, located at 1501 Euclid Avenue, Cleveland; authorizing termination of the Indenture of Lease Agreement, as amended; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the County Executive/Department of Public Works has submitted for Council’s approval a Purchase and Sale agreement with the Playhouse Square Foundation in the amount of \$1.00 for the sale of County-owned property commonly known as the Loew’s Building, located at 1501 Euclid Avenue; and,

WHEREAS, in 1977, the County of Cuyahoga purchased certain property commonly known as Loew’s Building to prevent its demolition and secure the future of the State Theatre, Ohio Theatre and ultimately Playhouse Square; and,

WHEREAS, on September 1, 1987, the Board of Commissioners of Cuyahoga County entered into an Indenture of Lease with the Playhouse Square Foundation for certain premises and improvements located in the City of Cleveland, commonly known as the Loew’s Building, located at 1501 Euclid Avenue ( the “Lease”); and,

WHEREAS, the County and the Playhouse Square Foundation subsequently supplemented and amended the Lease on September 11, 1987; May 5, 1992; November 15, 1997; February 14, 2005; and June 1, 2007 to adjust the lease payments and extend the original term of the Lease to December 31, 2037; and,

WHEREAS, because the purpose of the County’s original purchase in 1977 has been achieved, the County and the Playhouse Square Foundation have agreed to terminate the Lease, as amended, and transfer the title of the property known as the Loew’s Building to the Playhouse Square Foundation; and,

WHEREAS, the sale of the property known as the Loew’s Building to the Playhouse Square Foundation would result in significant savings in operating costs to 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 the County Executive to terminate the Lease, as amended, and enter into a Purchase and Sale Agreement with the Playhouse Square Foundation in the amount of \$1.00 for the sale of property commonly known as the Loew's Building.

**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, (ii) all other and further documents, instruments, certificates, agreements, amendments, assignments, 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 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 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 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.





3

**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal H. Husani, P.E.
<b>Type of Request:</b>	Agreement/Amendment		
<b>Request Prepared by:</b>	John Myers	<b>Telephone No.</b>	216-698-2517

**SUMMARY OF REQUESTED ACTION:**

**Summary of Requested Action:**

**A. Scope of Work Summary**

Department of Public Works, 2014, is requesting authorization for the County Executive to enter into a purchase a agreement with Play House Square Foundation for the sale of the county owned Loew's Building located at 1501 Euclid Avenue, Cleveland, Ohio for the sale price of \$1, and to execute any and all documents, deed and termination of lease of current property.

**B. Procurement:**

The sale of this property is pursuant to State and County ordinances and public bid process.

**C. Contractor and Project Information:**

1. Playhouse Square Foundation  
Loew's Building  
1501 Euclid Avenue  
Cleveland, Ohio

**D. Project Status and Planning:**

1. This project is new to the County.

**E. Funding:**

1. Revenue Generating.

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

**Purpose/Outcomes:**

This Purchase and Sale is in connection with the Cuyahoga County Real Estate Portfolio Consolidation project.

**Explanation for late submittal:**

**Contract/Agreement Information:**

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

**Financial Information:**

**Funding source:**      **Explanation:**  
Other                      Revenue Generating  
**Total Amount Requested:**  
\$

**ATTACHMENTS:**

Click to download

[Purchase and Sale Agreement](#)

**History**

**Time**

**Who**

Office of Procurement &  
Diversity

**Approval**



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0041

Sponsored by: <b>County Executive FitzGerald/Department of Human Resources</b>	<b>A Resolution</b> authorizing an agreement with City of Olmsted Falls for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, the County Executive/Department of Human Resources has submitted an agreement with the City of Olmsted Falls for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; and

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

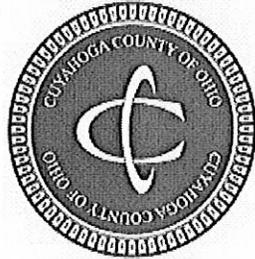
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council authorizes an agreement with the City of Olmsted Falls for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016.

**SECTION 2.** That the County Executive is authorized to execute an agreement of cooperation with the City of Olmsted Falls 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.





4

**Item Details:**

<b>Agency/Dept. Name:</b>	Office of Human Resources	<b>Agency/Dept. Head Name:</b>	Elise Hara
<b>Type of Request:</b>	Agreement/Amendment		
<b>Request Prepared by:</b>	Brittany Jones	<b>Telephone No.</b>	698-6436
<b>SUMMARY OF REQUESTED ACTION:</b>			
Department of Human Resources, submitting an agreement with City of Olmsted Falls for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016.			
<b>PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):</b>			
<b>Explanation for late submittal:</b>			

**Contract/Agreement Information:**

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

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
<b>Total Amount Requested:</b>	
\$	

**ATTACHMENTS:**

Click to download

- [Agreement](#)
- [Regionalized Benefits Presentation](#)

**History**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0042

Sponsored by: <b>County Executive FitzGerald/Department of Law</b>	<b>A Resolution</b> authorizing an amendment to Contract No. CE1200705-01 with Hylant Group, Inc. for insurance brokerage and risk management services and premiums for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$888,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
--	---

WHEREAS, the County Executive/Department of Law has recommended an amendment to Contract No. CE1200705-01 with Hylant Group, Inc. for insurance brokerage and risk management services and premiums for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$888,000.00; and

WHEREAS, the County entered into a contract with Hylant effective as of January 1, 2013 and ending December 31, 2015; and

WHEREAS, the original Contract No. CE1200705-01 was approved pursuant to Resolution R2012-0233 in the amount not to exceed \$3,600,000.00 for risk management services and insurance brokerage and premiums; and

WHEREAS, the original Contract No. CE1200705-01 with Hylant Group, Inc. was amended pursuant to BC2013-28 for additional funds in the amount of \$500,000.00 to provide the eminent-domain insurance in connection with the financing of the new County Administration Building; and

WHEREAS, the additional funds are required for: (1) the Convention Center and Global Center for Health Innovation property insurance in the amount of \$198,000.00 in annual premiums; and (2) for the Builder's Risk, Owner's Protective Professional Insurance, and Pollution/Environmental Insurance for the Convention Center Hotel for approximately \$690,000.00; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1200705-01 with Hylant Group, Inc. for insurance brokerage and risk management services and premiums for the period 1/1/2013 - 12/31/2015 for additional funds in the amount not-to-exceed \$888,000.00.

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

**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

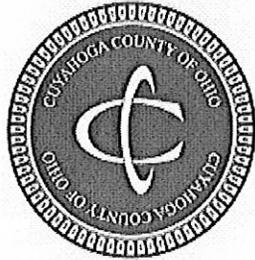
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



10

**Item Details:**

<b>Agency/Dept. Name:</b>	Administrator's Office	<b>Agency/Dept. Head Name:</b>	MAJEED MAKHLOUF
<b>Type of Request:</b>	Contract/Amendment		
<b>Request Prepared by:</b>	ANN MARIE DEANE	<b>Telephone No.</b>	443-7298

**SUMMARY OF REQUESTED ACTION:**

The Department of Law is submitting an amendment to Contract No: CE 1200705 with Hylant Group, Inc for Insurance Brokerage and Risk Managment Services for the period of January 1, 2013 through December 31, 2015. The requested increase is for additional insurance funds for the Global Health Innovation Center and the new Convention Center Hotel.

The County and Hylant now desire to increase the total amount of the Contract from \$4,100,000.00, which was amended under prior Board of Control Approval Number BC2013-28, to a 2nd amended amount of \$4,988,000.00.

Please see prior Resolution Numbers ADL R2012-0233 (Initial Contract) and BC2013-28.

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

To provide the appropriate insurance coverage for the Convention Center and the Convention Center Hotel. The Law Department is requesting an increase of \$888,000.00 to the first amended contract making the new total of the 2nd amended contract with Hylant Group, Inc and the County in the amount of \$4,988,000.00.

Principal Owners: Scott Dillabaugh, President  
Address:  
6000 Freedom Square Drive  
Independence, Ohio 44131

**Explanation for late submittal:**

**Contract/Agreement Information:**

<p><b>Procurement Method:</b> Other</p> <p><b>Explanation for Increase/Decrease in \$ Amount for current request:</b> Additional Insurance Coverage on new projects</p>
---

**Financial Information:**

<p><b>Funding source:</b> General Fund</p> <p><b>Total Amount Requested:</b> \$888,000.00</p>	<p><b>Explanation:</b> ON MC 001016/0322 =FUND / SUBFUND 01A/001 (GENERAL FUND) ORG MC \$198,000.00. ON CC 768275/0322 = 40A/069 (CAPITAL PROJ FUND) FS0200, 069200/MT03 \$690,000.00</p>
---	---

**ATTACHMENTS:**

Click to download

- [SECOND AMENDMENT](#)
- [HYLANT W9](#)
- [HYLANT CERTIFICATE OF INSURANCE](#)
- [BOC APPROVAL OF FIRST AMENDMENT BC2013-28](#)
- [FIRST AMENDMENT](#)
- [HYLANT WC CERT](#)

**History**

Time

Who

Approval

Office of Procurement &  
Diversity



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

**Contractor:** HYLANT GROUP, INC

**Contract/Agreement No.:** CE1200705      **Time Period:** 11/28/12-12/31/15

**Service Description:** INSURANCE BROKERAGE AND RISK MANAGEMENT SERVICES

**Original Contract/Agreement Amount:** \$3,600,000.00

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

**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:**

*Deputy Director - Risk Management*  
*Robert C. [Signature]*  
**User Department**

*2/4/14*  
**Date**

s: evaluation

# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0043

Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Senior and Adult Services</b>	<b>A Resolution</b> making an award on RQ28759 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship Services for the period 1/1/2014 - 12/31/2014; 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.
--	---

WHEREAS, the County Executive/Department of Health and Human Services/Division of Senior and Adult Services recommended an award on RQ28759 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship Services for the period 1/1/2014 – 12/31/2014; and,

WHEREAS, the primary goal of the project is to provide legal guardians to serve as concerned, caring advocates and surrogate decision makers for indigent people who are deemed incompetent by the Cuyahoga County Probate Court; and,

WHEREAS, this project is funded by the County Health & Human Services levy in the amount of \$352,000.00 (63.66%) and by the Cuyahoga County Probate Court in the amount of \$201,000.00 (36.34%); 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 RQ28759 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship Services for the period 1/1/2014 – 12/31/2014.

**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

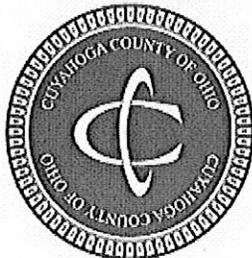
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



9

**Item Details:**

<b>Agency/Dept. Name:</b>	Department of Senior and Adult Services	<b>Agency/Dept. Head Name:</b>	Tracey N. Mason
<b>Type of Request:</b>	Award Recommendation		
<b>Request Prepared by:</b>	Daurin K. Elliott	<b>Telephone No.</b>	216-420-6765
<b>SUMMARY OF REQUESTED ACTION:</b>			
<p>Recommending an award on RQ28759 to Lutheran Metropolitan Ministry in the amount of \$553,000.00 for Guardianship of Adult Services for the period 1/1/2014 through 12/31/14.</p>			
<p><b><u>I. NovusAgenda Summary of Requested Action</u></b>Title: Senior &amp; Adult Services; 2014; Lutheran Metropolitan Ministry – Guardianship of Adult Services; Contract-<b>A. Scope of Work Summary</b>1. The Division of Senior and Adult Services is requesting approval of a contract with Lutheran Metropolitan Ministry for guardianship of adult services for the cost not-to-exceed \$553,000.00 for the time period 01/01/14 through 12/31/14. 2. The primary goal of the guardianship of adult Services is to provide legal guardians to serve as concerned, caring advocates and surrogate decision-makers for indigent people who are deemed incompetent by the Cuyahoga County Probate Court. One step in the protection process is to use a guardian to move a person to safety. Currently, DSAS identifies the at-risk APS client requiring guardianship services and makes a referral to the provider of guardianship services. The provider completes its own assessment of the client and if it agrees with the DSAS recommendation for guardianship services, the provider prepares an application to the Probate Court for the appointment of itself as the guardian.3. The Division of Senior &amp; Adult Services (DSAS) is charged with fulfilling the County's state mandate per Ohio Revised Code (Section 5101.60 and 5101.71) to provide adult protective services (APS) within the geographical boundaries of Cuyahoga County. DSAS identifies the at-risk APS client requiring guardianship services and makes a referral to the provider of guardianship services. <b>B. Procurement</b>1. The procurement method for this project was RFP 28759. The total value of the RFP was \$553,000.00. The award total: \$553,000.00.2. The RFP was closed on 11/1/13.3. There was one (1) proposal submitted from 1 vendor pulled from OPD. The one (1) proposal was reviewed for</p>			

Guardianship of Adult Services for the 2014 contract and is being recommended for award.  
**C. Contractor and Project Information**1. The address of the provider is:Lutheran Metropolitan Ministry4515 Superior Ave.Cleveland, Ohio 441032. The owner for the provider is as follows: 501(c)3 status - Governed by Bd. of Directors – Andrew Genszier, President, CEO

4515 Superior Ave.

Cleveland, Ohio 441033. Guardianship of Adult Services will be delivered to residents throughout the entire county.**D. Project Status and Planning**1. The project reoccurs annually.2. The current contract for AGS ends on December 31, 2013.3. To avoid an interruption of client services, it is important this RFP keeps moving forward.4. The current project ends on December 31, 2013. 5. Not applicable.**E. Funding**1. The guardianship of adult services are funded by the County Health & Human Services levy in the amount of \$352,000.00 (63.66%) and by the Cuyahoga County Probate Court in the amount of \$201,000.00 (36.34%).2. The vendor is paid on a monthly basis for services rendered the previous month.3. Not applicable.

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

Guardianship of adult services provide quality guardianship of person services to residents of the County of Cuyahoga identified by DSAS as needing this service when there are no lesser forms of intervention, such as a power of attorney or surrogate decision maker, available. In general, GOA clients are indigent persons age 18 or older identified by DSAS and determined to need guardianship of person by the Cuyahoga County Probate Court.

**OUTCOMES/EXPECTATIONS:**Approximately 525 on-going clients receive guardianship of adult services each year. Guardianship of adult services protect these persons from abuse, neglect and exploitation.

DSAS released an RFP on 10/9/13. A pre-proposal conference was held on 10/21/13 with representatives from four (4) vendor agencies attending. The RFP closed on 11/01/13. One (1) proposal was received (from Lutheran Metropolitan Ministry).

DSAS evaluated the Lutheran Metropolitan Ministry's proposal. The proposal earned 80.90 out of 100 possible points exceeding the minimum score required for funding consideration (60 points).

**Principal Owner(s):**

501(c)3 status - Governed by Bd. of Directors - Carol Fredrich, Executive Director  
4515 Superior Ave.  
Cleveland, Ohio 44103

**Explanation for late submittal:**

The vendor wanted to re-negotiate the scope of services which were identified and outlined in their original proposal.

**Contract/Agreement Information:**

**Procurement Method:**

RFP (Request for Proposal)

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

DSAS agreed to pledged an additional \$26,000 towards LMM-AGS funding in 2014 to meet increased demand

**Financial Information:**

**Funding source:**

Other

**Explanation:**

Cuyahoga County Health & Human Services Levy and The Probate Court

**Total Amount Requested:**

\$553,000.00

**ATTACHMENTS:**

Click to download

- [RFP - Final](#)
- [Vendor Compliance Form](#)
- [Tabulation of Proposals](#)
- [Proposal](#)
- [Contract Cover - TAB](#)
- [Lutheran Metropolitan Ministry - Signed contract - TAB](#)
- [Non-Collusion Affidavit](#)
- [Cooperative Purchasing - Vendor form](#)
- [SOS](#)
- [W-9](#)
- [INS](#)
- [BWC](#)
- [Consolidated Financial Report](#)
- [Department Acknowledgement form](#)
- [FR](#)
- [Signature Authority](#)
- [Novus Agenda Summary of Requested Action](#)
- [intent to award letter](#)
- [LMN](#)

**History**

**Time**

1/27/2014 9:27 AM

**Who**

Office of Procurement & Diversity

Clerk of the Board

**Approval**

Yes



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

**Contractor:** Lutheran Metropolitan Ministry

**Contract/Agreement No.:** CE1300065      **Time Period:** 1/1/13 – 12/31/13

**Service Description:** Guardianship of Adult Services

**Original Contract/Agreement Amount:** \$475,000.00

**Prior Amendment(s) Amount(s):** \$52,000.00

**Performance Indicators:** The vendor was reviewed based on results of an audit of its contract compliance through 5/31/13. Please see attached.

**Actual performance versus performance indicators (include statistics):** Overall, the vendor earned 63 of 68 available points (93%).

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

- Superior
- Above Average
- Average/Solid
- Below Average
- Poor

**Justification of Rating:** DSAS has adopted a 10 point scale for vendors (90-100 is superior; 80-89.9 is above average; 70-79.9 is average; 60-69.9 is below average; 59.9 and below is poor.

HHS/Senior & Adult Services (DSAS)  
User Department

10/10/13  
Date

s: evaluation

Program: Adult Protective Services  
 Period: 1/1/14-12/31/14  
 Service: Guardianship  
 Note: **Recommended Awards - FINAL**  
 Updated: 12/02/13

RECOMMENDED

\$553,000.00

		From Proposal		Funding Level Rationale	
Vendor	dba	Unit Rate	Prop. Score	Recom. Value	
Lutheran Metropolitan Ministry		\$66.76	80.90	\$553,000.00	Only proposal received; Exceeded required minimum proposal score (req min: 60)

Program: Guardianship of Adult Services  
 Contract: 1/1/2013-12/31/2013  
 Period:  
 Period Reviewed: 1/1/2013-6/30/13  
 Doc Updated: 10/10/2013  
 Provider: Lutheran Metropolitan Ministry

Potential Points		Earned Points		Total % Earned; Notes
68		63.00		93%
Facility Check	5	Deduct one point for each finding issued in this area	5.00	No findings
Policies & Procedures	5	Deduct one point for each finding issued in this area	5.00	No findings
Personnel Files	10	Deduct one point for each finding issued in this area. Note findings issued for the same topic, but for multiple employees only count as 1 finding (i.e., missing background checks)	9.00	Missing: Performance appraisal
Client Files	12	Deduct one point for each finding issued in this area	11.00	Missing: Final disposition
Unit Verification	6	[Computed by quarter; Each quarter worth 3 points; Providers may lose up to 3 points per quarter] Deduct one point if there are any units unverified. Deduct an additional point if 5% or more of the units in the sample are unverified (total of all services). Deduct an additional point if 10% or more of the units in the sample are unverified (total of all services).	6.00	Verified 70.9 of 70.9 units, all units verified
Service Delivery	15	Deduct one point for each finding issued in this area.	12.00	Inconsistent biennial reports; Inconsistent annual service plans; Conflicting dates
Referral Acceptance Rate		100% = 15 pts; 98.00% to 99.99% = 14; 95.00% to 97.99% = 13; 90.00% to 94.99% = 12; 85.00% to 89.99% = 11; 80.00% to 84.99% = 10; 75.00% to 79.99% = 9; 70.00% to 74.99% = 8; 65.00% to 69.99% = 7; 60.00% to 64.99% = 6; 59.99% or lower = 0		Not reviewed with this audit due to problems with State e-mail account during period
Billing	5	Deduct one point for each time the monthly billing was late; Deduct .5 point if billing was on time but was submitted incorrectly the first time	5.00	No findings

Program: Guardianship of Adult Services  
 Contract: 1/1/2013-12/31/2013  
 Period:  
 Period Reviewed: 1/1/2013-6/30/13  
 Doc Updated: 10/10/2013  
 Provider: Lutheran Metropolitan Ministry

	Potential Points		Earned Points	Total % Earned; Notes
Unit Utilization	10	[Determined by service; Each service can earn up to 10 points; Score for this question is based on average score earned by all svcs. Does not use aggregate of contract]; 95% or higher = 10; 90.00% to 94.99% = 9; 85.00% to 89.99% = 8; 80.00% to 84.99% = 7; 75.00% to 79.99% = 6; 70.00% to 74.99% = 5; 65.00% to 69.99% = 4; 60 to 64.99% = 3; 55.00% to 59.99% = 2; 50 to 54.99% = 1; less than 50% = 0	10.00	DSAS Portion: 132.6% (10); Probate Portion 176.3% (10)
Goals & Objective Reporting		*** NEW CATEGORY for 2012/2014 contract *** Deduct 1 pt each time late; Deduct 1 pt for each report completed incorrectly; Deduct up to 2 pts for each report;		Not reviewed with this audit; Report due 7/31/13

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0044

Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</b>	<b>A Resolution</b> authorizing an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$682,276.00 for the MomsFirst Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Department of Health and Human Services/Community Initiatives Division/Office of Early Childhood has recommended an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$682,276.00 for the MomsFirst Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; and

WHEREAS, this project will be funded 100% from Health and Human Services Levy Funds; and

WHEREAS, the primary goals of the project are to: (1) reduce infant mortality, and (2) reduce low and extremely low birth weight; and

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

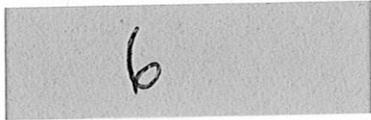
### **NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby approves an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$682,276.00 for the MomsFirst Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015.

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

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health,





**Item Details:**

<b>Agency/Dept. Name:</b>	Administrator's Office/Office of Early Childhood	<b>Agency/Dept.Head Name:</b>	Dr. Rebekah Dorman
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**Type of Request:**

<b>Request Prepared by:</b>	Marcos Cortes	<b>Telephone No.</b>	216-698-2586
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**SUMMARY OF REQUESTED ACTION:**

**Title:**

Office of Early Childhood/Invest in Children 2014 City of Cleveland Department of Public Health Contract MomsFirst Program EC-14-29737

**A. Scope of Work Summary**

1. Office of Early Childhood/Invest in Children is requesting approval of contract with the City of Cleveland Department of Public Health for the anticipated cost of \$682,276.00. The anticipated start-completion dates are January 1, 2014 to December 31, 2015.
2. The primary goals of the project are:
  - Reduce Infant Mortality
  - Reduce Low Birth Weight
  - Reduce Extremely Low Birth Weight
3. N/A

**B. Procurement**

1. The procurement method for this project was other. The total value is \$682,276.00.00
- 2.NA
- 3.The Other Than Full and Open Competition Form was submitted for the January 15, 2013 Contracts and Purchasing Board meeting.

**C. Contractor and Project Information**

1. City of Cleveland Department of Public Health  
75 Erieview Plaza, Third Floor  
Cleveland, OH 44114
2. Karen Butler, Director

- 3.a The MomsFirst Program is offered in the City of Cleveland only
- 3.b. The project is offered County Council Districts: 2, 3, 7, 8, 9, 10.

**D. Project Status and Planning**

- 1. The project reoccurs annually.
- 4. The project's term will begin on January 1, 2014.

**E. Funding**

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

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

**Purpose:**

MomsFirst is a City of Cleveland program that offers case management and home visiting services to pregnant and recently delivered moms. Women who participate in the MomsFirst program receive education on topics such as prenatal care, breastfeeding, family planning, and interconceptual care. MomsFirst links them to services such as locating a medical home, medical insurance, and assisting with transportation to prenatal and postpartum appointments. The goal of MomsFirst is to help women have a healthy pregnancy, and reduce the number of babies that die before they are a year old.

Under the auspices of the Invest in Children Program, the City of Cleveland, Department of Public Health (MomsFirst Program) will expand its integrated, comprehensive, neighborhood-based, outreach program which provides support for case finding, service linkage, risk assessment, preventive health education, care coordination, and ongoing support to high risk pregnant and parenting women, their partners, and infants under the age of one year within the City of Cleveland.

**This expansion will include the following components:**

Implementation of all MomsFirst core program components; Utilization of quality assurance methods; Program administration that includes regular meetings with OEC and its partners; and the capturing and reporting of performance measures.

**Expected outcomes include:**

- 1) Each Community Health Worker will maintain a minimum caseload of thirty-five (35) participants;
- 2) The number of enrolled pregnant women in the program will increase;
- 3) Outreach efforts in those communities determined to have the greatest risk for adverse birth outcomes will increase;
- 4) Participants will be referred to other community services as appropriate;
- 5) Families who complete the MomsFirst program will, where appropriate, be transitioned to other community based family services.

Vendor(s): City of Cleveland Department of Public Health Principal Owner(s):  
Contact Person: Karen Butler, Director  
75 Erieview Plaza  
Cleveland, Ohio 44114  
216-664-6790

**Explanation for late submittal:**  
County Budgeting Process and Legal opinion on proper insurance.

**Contract/Agreement Information:**

**Procurement Method:**  
Exempt from Competitive Bid Requirements  
**Explanation for Increase/Decrease in \$ Amount for current request:**  
N/A

**Financial Information:**

**Funding source:**      **Explanation:**  
Other                      Health and Human Services Levy  
**Total Amount Requested:**  
\$682,276.00

**ATTACHMENTS:**

- Click to download
- [Contract Cover](#)
  - [signed Contract](#)
  - [2014 and 2015 Budget Exhibit](#)
  - [Contract Evaluation](#)
  - [Auditor's findings](#)
  - [Acknowledgement Form](#)
  - [W-9](#)

<b>History</b>	<b>Who</b>	<b>Approval</b>
<b>Time</b>	Office of Procurement & Diversity	



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

**Contractor:** City of Cleveland Department of Public Health in conjunction with MomsFirst Program

**Contract/Agreement No.:** AG1200023-01 **Time Period:** 01/01/13 through 12/31/13

**Service Description:** MomsFirst is a City of Cleveland program that offers case management and home visiting services to pregnant moms until their baby reaches age one. Women who participate in the MomsFirst program receive education on topics such as prenatal care, breastfeeding, family planning, and interconceptual care. MomsFirst links them to services such as locating a medical home, medical insurance, and assisting with transportation to prenatal and postpartum appointments. The goal of MomsFirst is to help women have a healthy pregnancy, and reduce the number of babies that die before they are a year old.

**Original Contract/Agreement Amount:** \$341,137.00

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

**Performance Indicators:**

- # of prenatal home visits completed
- # of unduplicated participants served
- # of unduplicated adult participants
- # of unduplicated teen participants

**Actual performance versus performance indicators (include statistics):**

- 1,960 prenatal home visits completed
- 1,956 unduplicated participants served
- 1,314 unduplicated adult participants served
- 642 unduplicated teen participants served in

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

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

**Justification of Rating: The Community Health Workers under MomsFirst have done a good job of recruiting and engaging new moms who are eligible for their program. MomsFirst has been able to show a significantly less percentage of infant mortality as compared to the rest of the City of Cleveland.**

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

**January 13, 2014**  
\_\_\_\_\_  
Date

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0045

<p>Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</b></p>	<p><b>A Resolution</b> authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has submitted an agreement for Council's approval with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the Invest in Children Program for the period 1/1/2014 – 12/31/2015; and,

WHEREAS, the primary goals of the project are to a) promote healthy social and emotional development of young children, b) prevention and early intervention of mental health difficulties, and c) treatment of mental health conditions among very young children in the context of their families; and,

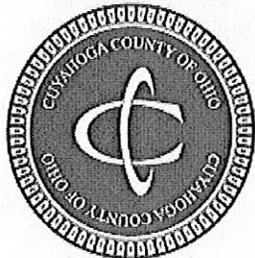
WHEREAS, this project is funded 100% by the Health and Human Services Levy Funding; and,

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

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

**SECTION 1.** That the Cuyahoga County Council authorizes an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the Invest in Children Program for the period 1/1/2014 – 12/31/2015.





**Item Details:**

<b>Agency/Dept. Name:</b>	Administrator's Office/Office of Early Childhood	<b>Agency/Dept.Head Name:</b>	Dr. Rebekah Dorman
<b>Type of Request:</b>	Contract/Amendment		
<b>Request Prepared by:</b>	Marcos Cortes	<b>Telephone No.</b>	216-698-2586

**SUMMARY OF REQUESTED ACTION:**

Submitting a contract with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount of \$1,339,104.00 for Early Childhood Mental Health Program for the period January 1, 2014 to December 31, 2015.

**Title:**

Office of Early Childhood/Invest in Children 2014 Contract Alcohol, Drug & Mental Health Services Board EC-14-29740

**A. Scope of Work Summary**

1. Office of Early Childhood/Invest in Children is requesting approval of contract with the Alcohol, Drug Addiction & Mental Health Services Board for the anticipated cost of \$1,339,104.00. The anticipated start-completion dates are January 1, 2014 to December 31, 2015.
2. The primary goals of the project are:
  - Promote healthy social and emotional development of young children.
  - Prevention and early intervention of mental health difficulties.
  - Treatment of mental health conditions among very young children in the context of their families.
3. N/A

**B. Procurement**

1. The procurement method for this project was other. The total value is \$1,339,104.00
- 2.NA
- 3.The Other than Full and Open Competition Form was submitted to be heard on January

15, 2014.

**C. Contractor and Project Information**

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

**D. Project Status and Planning**

1. The project reoccurs annually.
4. The project's term will begin on January 1, 2014.

**E. Funding**

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

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

**Purpose/Outcomes:**

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

**Principal Owners:**

Alcohol, Drug Addiction & Mental Health Services Board of Cuyahoga County

**Primary Contact:** William Denihan, Chief Executive Officer

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

**Explanation for late submittal:**

County Budget process and legal opinion on proper insurance.

**Contract/Agreement Information:**

**Procurement Method:**

Exempt from Competitive Bid Requirements

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

N/A

**Financial Information:**

<b>Funding source:</b> Other	<b>Explanation:</b> Health and Human Services Levy
<b>Total Amount Requested:</b> \$1,339,104.00	

**ATTACHMENTS:**

Click to download

- [Contract cover](#)
- [Signed Contract](#)
- [Budget](#)
- [Evaluation form](#)
- [Auditor's Findings](#)
- [Acknowledgement Form](#)
- [W-9](#)

**History**  
**Time**

**Who**  
Office of Procurement &  
Diversity

**Approval**



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

**Contractor: Alcohol and Drug Addiction & Mental Health Services Board**

**Contract/Agreement No.: CE1100109-01**

**Time Period: January 1, 2013 through December 31, 2013**

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

**Original Contract/Agreement Amount: \$ 669,566.00**

**Prior Contract(s) Amount(s):**

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

**Performance Indicators:**

**Total anticipated to be served: 390**

Total number of unduplicated children served in 2013, January through September

# Treatment

# Consultation

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

**Actual performance versus performance indicators (include statistics):**

**425** unduplicated children served in 2013, January through September (4th quarter numbers not yet complete). We are far ahead of our anticipated number of the 390 anticipated to be served. The large numbers leave us with waiting lists which we are working to address.

**420** serviced in Consultation, which is a shorter less intensive intervention with children and their families.

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

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

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

\_\_\_\_\_  
Date

**Justification of Rating:** The Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, and the provider agencies funded through this program, have been consistent in meeting goals and outcomes for many year including the most recent year. In fact they are well above the total anticipated to serve (390) for all of 2013 with still an entire program quarter yet to be counted.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0046

<p>Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</b></p>	<p><b>A Resolution</b> authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$906,000.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$906,000.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2014 - 12/31/2015; and

WHEREAS, the primary goals of the project are: (1) to improve maternal and infant health; (2) to connect families to other community resources that support families; (3) enhance parent skills; and (4) link families to a medical home; and

WHEREAS, this project is funded 100% from the County Health & 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 authorizes an agreement with the Cuyahoga County District Board of Health in the amount not-to-exceed \$906,000.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2014 – 12/31/2015.

**SECTION 2.** That the County Executive is authorized to execute an agreement and all documents consistent with this Resolution.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee(s) Assigned:

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



8

**Item Details:**

<b>Agency/Dept. Name:</b>	Administrator's Office/Office of Early Childhood	<b>Agency/Dept.Head Name:</b>	Dr. Rebekah Dorman
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**Type of Request:** Contract/Amendment

<b>Request Prepared by:</b>	Marcos Cortes	<b>Telephone No.</b>	216-698-2586
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**SUMMARY OF REQUESTED ACTION:**

**Title:**

Office of Early Childhood/Invest in Children 2014 Cuyahoga County Board of Health Agreement for the Newborn Home Visiting Program 5550 Venture Drive, Parma, OH 44130 EC-14-79742

**A. Scope of Work Summary**

1. Office of Early Childhood/Invest In Children is requesting approval of an Agreement, with Cuyahoga County District Board of Health for the anticipated cost of \$906,000.00. The anticipated start-completion dates are (1/01/2014- 12/31/2015)
2. The primary goals of the project are:
  - 1) Improve maternal and infant health;
  - 2) Connect families to other community resources that support families;
  - 3) Enhance parent skills; and
  - 4) Link families to a medical home
3. N/A

**B. Procurement**

1. The procurement method for this project was other: the Board of Health is a Government Entity – These dollars were awarded in the 2014/2015 Budget Process. The total value of this amendment is \$906,000.00
- 2.NA
- 3.The Other Than Full and Open Competition Form was submitted for review on January 22, 2014.

**C. Contractor and Project Information**

1. The address(es) of all vendors and/or contractors is:  
Cuyahoga County Board of Health  
5550 Venture Drive Parma, OH 44130  
Council District (4)
2. The Health Commissioner for the contractor is Terry Allen.
- 3.a The project occurs County wide.
- 3.b. The project administration is located in Council District (4)

**D. Project Status and Planning**

1. The project is a continuation of an existing project.
4. The project's term has already begun. January 1, 2014.

**E. Funding**

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

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

**Purpose:**

The New Born Home Visiting program provides a home visit by a registered nurse to low income and teenage mothers giving birth at Metro, University, and Fairview Hospitals, within the first weeks of bringing the baby home. This Contract will allow us to continue the program in the identified hospitals. The funding for this Contract is contained in the 2014-2015 approved County Budget (\$906,000). These hospitals were identified because of the high numbers of low income and teen mothers.

The visits will also include the implementation of the Newborn Behavioral Observation (NBO). The NBO, conducted during the visit by the nurse with the mother, helps mothers better relate to their newborns.

**OUTCOMES:**

1. Improve maternal and infant health
2. Connect families to other community resources that support families
3. Enhance parent skills
4. Link families to a medical home

**Principal Owner:**

Cuyahoga County Board Of Health  
Terry Allen, Health Commissioner  
5550 Venture Avenue  
Parma, Ohio 44130

**Explanation for late submittal:**

Cuyahoga County Budget Proces and legal opinion on insurance requirements

**Contract/Agreement Information:**

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<b>Procurement Method:</b> Other
<b>Explanation for Increase/Decrease in \$ Amount for current request:</b> N/A

**Financial Information:**

<b>Funding source:</b> Other	<b>Explanation:</b> Health and Human Services Levy
<b>Total Amount Requested:</b> \$906,000.00	

**ATTACHMENTS:**

Click to download

- [Signed Contract](#)
- [Budget Exhibit](#)
- [Evaluation Form](#)
- [Contract Cover](#)
- [Acknowledgement Form](#)
- [Auditor's Findings](#)
- [W-9](#)

**History**

**Time**

**Who**

Office of Procurement &  
Diversity

**Approval**



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

**Contractor:** Cuyahoga County Board of Health

**Contract/Agreement No.:** AG1200164.

**Time Period:** March 1, 2012 through January 31, 2013

**Service Description:** The New Born Home Visiting program will provide a home visit by a registered nurse to low income and teen mom's within the first weeks of bringing a baby home.

**Original Contract/Agreement Amount:** \$ 553,000.00

**Prior Contract(s) Amount(s):** \$0.00

**Prior Amendment(s) Amount(s):**

**Performance Indicators:**

2,311 At Risk Mothers will receive a Home Visit

**OUTCOMES:**

1. Improve maternal and infant health
2. Connect families to other community resources that support families
3. Enhance parent skills Link families to a medical home
4. Link families to a medical home

**Actual performance versus performance indicators (include statistics):**

Through September 30th – 1,142 at risk mothers have received a completed home visit out of 2,145 who originally accepted the visit at the hospital. We have continue to struggle with the follow through of the clients after leaving the hospital. We have tried different strategies to increase our completion rate such as incentives, targeting specific areas and even showing up announced. Nothing seems to be working.

We did identify an issue with the provider agency that has potential led to lower numbers. We have addressed this issue and we are waiting and watching for improvement.

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

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



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

\_\_\_\_\_  
January 13, 2014

Date

**Justification of Rating:** The Board of Health has done an adequate job getting all aspects of the program in place and the memoranda of understanding with child-birthing hospitals (University and MetroHealth). The program continues to try to improve the numbers they are serving by trying different techniques and strategies. The Board has also identified internal issues that may be affecting their performance. They have taken steps to remedy the situation.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0031

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> making an award on RQ28818 to Karvo Paving, Co. in the amount not-to-exceed \$8,372,654.20 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road intersection in the City of Shaker Heights and Village of Highland Hills; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$418,632.71 to fund said contract; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/ Division of County Engineer has recommended an award on RQ28818 to Karvo Paving, Co. in the amount not-to-exceed \$8,372,654.20 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/ Northfield Road intersection in the City of Shaker Heights and Village of Highland Hills; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure for which the County is responsible; and

WHEREAS, the funding for this project is as follows: (a) 65% will be paid from Federal Funds, (b) 24% will be paid from the Ohio Public Works Commission Issue 1 Funds, (c) 6% will be paid by the City of Shaker Heights and the Village of Highland Hills, and (d) 5% will be paid from the County's \$5.00 Vehicle License Tax Fund; and

WHEREAS, the project is located in Council District 9 and scheduled to begin April 1, 2014 and will be completed in November of 2015; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ28818 to Karvo Paving, Co. in the amount not-to-exceed \$8,372,654.20 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/ Northfield Road intersection in the City of Shaker Heights and Village of Highland Hills.

**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.** That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make an application for the allocation from the County Motor Vehicle \$5.00 License Tax Fund in the amount of \$418,632.71 to fund its share of the contract.

**SECTION 4.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**SECTION 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: January 28, 2014

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

Committee Report/Second Reading: February 11, 2014

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0034

<p>Sponsored by: <b>County Executive FitzGerald/ Department of Development</b></p>	<p><b>A Resolution</b> authorizing the issuance of not-to-exceed \$11,955,000.00 County of Cuyahoga, Ohio Economic Development Revenue Refunding Bonds, Series 2014 (Cleveland Hearing and Speech Center Project), for the purpose of refunding the outstanding principal amount of County of Cuyahoga, Ohio Tax-exempt Variable Rate Economic Development Revenue Bonds, Series 2008 (Cleveland Hearing and Speech Center Project), that were issued to provide funds to assist the Cleveland Hearing and Speech Center in financing costs of a project consisting generally of the acquisition, construction, improvement, furnishing and equipping of real and personal property consisting of an approximately 48,000 square foot headquarters and operations facility located at 11635 Euclid Avenue, Cleveland, Ohio; authorizing the execution and delivery of a loan agreement and trust indenture; authorizing the execution and delivery of a bond purchase agreement and authorizing the execution and delivery of certain other documents and actions in connection with the issuance of such bonds; and declaring the necessity that this Resolution become immediately effective.</p>
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**WHEREAS**, the County of Cuyahoga, Ohio (the “*County*”), a county and political subdivision duly organized and validly existing under the laws of the State of Ohio and its Charter, is authorized and empowered, by virtue of the laws of the State of Ohio, including without limitation, Chapter 165, Ohio Revised Code (the “*Act*”) and Section 13 of Article VIII, Ohio Constitution, (i) to issue bonds for the purpose of assisting in the financing of eligible costs of constructing and equipping facilities of The Cleveland Hearing and Speech Center (the “*Borrower*”) constituting a “project” within the meaning of the Act for industry, commerce, distribution, or research located within the boundaries of the County; (ii) to enter into a loan agreement with the Borrower with respect to those

facilities to provide for “revenues” sufficient to pay the principal and purchase price and interest and any premium on those revenue bonds, (iii) to secure those revenue bonds by a trust indenture and by an assignment of those revenues for the benefit of the owners of those revenue bonds, and (iv) to enact this Resolution and to sign and deliver documents in connection therewith upon the terms and conditions provided herein; and

**WHEREAS**, this Council of the County of Cuyahoga, Ohio (the “*Council*”), pursuant to the foregoing authority and at the request of, and based upon the representations of, the Borrower, has requested that the County issue revenue refunding bonds (the “*Series 2014 Bonds*”) pursuant to the Act to assist it in financing and refinancing the costs of acquiring, constructing, equipping and improving real and personal property consisting of an approximately 48,000 square foot headquarters and operations facility located at 11635 Euclid Avenue, Cleveland, Ohio 44106 (the “*Project*”) by refunding the outstanding principal amount of the County’s \$17,000,000 Tax-Exempt Variable Rate Economic Development Revenue Bonds, Series 2008 (The Cleveland Hearing and Speech Center Project) (the “*Prior Bonds*”), which were issued pursuant to a Trust Indenture dated as of June 1, 2008, by and between the County and The Huntington National Bank, as trustee, and the proceeds of which were used to finance a portion of the costs of the Project; and

**WHEREAS**, the Series 2014 Bonds will be issued pursuant to the provisions of the Act and a Trust Indenture (the “*Indenture*”) between the County and The Huntington National Bank, as trustee (the “*Trustee*”); and

**WHEREAS**, the Series 2014 Bonds shall not represent or constitute a general obligation, debt or bonded indebtedness, or a pledge of moneys raised by taxation or the faith and credit of the County, the State or any political subdivision thereof, and the holders of the Series 2014 Bonds shall not be given and shall not have any right to have excises or taxes levied by this Council or the County, or the State or the taxing authority of any political subdivision thereof, for the payment of bond service charges or any other costs of the Project, and the Series 2014 Bonds will be payable solely from the rentals, revenues, and other income, charges, and moneys as are pledged for their payment in accordance with the bond proceedings;

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

**SECTION 1. Definitions and Interpretations.** All words and terms used herein as defined words and terms but not otherwise defined herein shall have the respective meanings given to them in the Indenture, the substantially final form of which is on file with this Council.

Any reference herein to the County or this Council or to any officers, employees or members thereof, shall include those which succeed to their functions,

duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

**SECTION 2. Authorization of the Series 2014 Bonds.** This Council determines, based on the representations of the Borrower, that it is necessary to, and the County shall, issue, sell and deliver, as provided and authorized herein and in accordance with the Indenture and pursuant to the authority of the Act, the Series 2014 Bonds in the aggregate principal amount that shall be determined in the Bond Purchase Agreement, but in any event not to exceed \$11,955,000, for the purposes of refinancing a portion of the costs of the Project by refunding the Prior Bonds, and paying certain costs of issuing the Series 2014 Bonds.

### **SECTION 3. Terms and Provisions of the Series 2014 Bonds**

(a) Bond Terms. The Series 2014 Bonds shall (i) be issuable only in fully registered form and substantially as set forth in the Indenture; (ii) be exchangeable only for Bonds of the same series in Authorized Denominations, as provided in the Indenture; (iii) be numbered in a manner determined by the Trustee which will distinguish each Bond of a series from each other Bond of that series; (iv) be dated as set forth in the Indenture, provided that such date shall not be later than May 1, 2014; (v) bear interest from the most recent date to which interest has been paid or duly provided for, or if no interest has been paid or duly provided for, from their date of delivery, at the rates set forth in the Indenture, provided that the rates for the Series 2014 Bonds shall not exceed \_\_\_% per year; (vi) payable on the interest payment dates set forth in the Indenture; (vii) be subject to optional redemption, extraordinary optional redemption, mandatory redemption, optional and mandatory tender for purchase, and purchase in lieu of redemption in accordance with the Indenture; and (viii) mature, subject to prior redemption as set forth above, on the dates set forth in the Indenture, the final maturity date of which shall be no later than June 1, 2038.

The Series 2014 Bonds shall initially bear interest at the Bank Rate described in the Bond Purchase Agreement during the initial Bank Rate Period, and thereafter shall bear interest at the Bank Rate, a Weekly Rate, a Long-Term Rate, a Fixed Rate, or a Pledged Bond Rate for a particular rate period (being a Bank Rate Period, Weekly Rate Period, Long-Term Rate Period, Fixed Rate Period, or Pledged Bond Rate Period all as defined and provided for in the Indenture).

(b) Method of Payment; Paying Agents. The principal of and any premium and interest on the Series 2014 Bonds (the “*Bond Service Charges*”) shall be payable as provided in the Indenture without deduction for the services of any paying agent. The Trustee initially shall be paying agent for the Series 2014 Bonds and may designate additional paying agents as provided in the Indenture.

(c) Execution. The Series 2014 Bonds shall be signed by the County Executive or his designee. Neither the County Executive, the members of

this Council nor any person executing the Series 2014 Bonds shall be liable personally on the Series 2014 Bonds by reason of issuance thereof. In case the County Executive shall cease to be in office before the issuance or delivery of the Series 2014 Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until after that time.

(d) Book-Entry System. The Series 2014 Bonds are permitted, but not required, to be issued to the Depository for holding in a book-entry system as provided in the Indenture, as the official(s) or member(s) executing and delivering the Indenture shall approve in the manner described in and under authority of Section 8 hereof.

#### **SECTION 4. Sale of the Series 2014 Bonds.**

The Series 2014 Bonds are hereby sold and awarded to PNC Bank, National Association or its designee (the “*Original Purchaser*”) in accordance with the terms of this Resolution and the Bond Purchase Agreement, at a purchase price equal to the aggregate principal amount of the Series 2014 Bonds to be issued. The sale of the Series 2014 Bonds to the Original Purchaser shall be conditioned upon the Original Purchaser’s delivery of an investor acknowledgement letter to the County, or the inclusion of investor acknowledgement provisions in the Bond Purchase Agreement, in a form acceptable to the County and its legal counsel. It is hereby determined, based upon the advice of Bond Counsel and the representations of the Original Purchaser that the purchase price and the manner of sale and the terms of the Series 2014 Bonds, as provided in this Resolution and the Indenture, are consistent with all legal requirements and will carry out the public purposes of the Act.

The County Executive, the Clerk of this Council and the Fiscal Officer are authorized and directed, alone or together, to make the necessary arrangements, as directed by the Trustee and upon the advice of Bond Counsel, with the Original Purchaser to establish the date, location, procedure and conditions for the delivery of the Series 2014 Bonds to the Original Purchaser. The County Executive is further authorized and directed, upon the advice of Bond Counsel, to make the necessary arrangements for the execution, authentication and delivery of the Series 2014 Bonds to the Original Purchaser under the terms of this Resolution, the Indenture and the Bond Purchase Agreement.

**SECTION 5. Security for the Series 2014 Bonds.** The Series 2014 Bonds shall be special obligations of the County and, except as otherwise provided under the Indenture, the principal of and interest and any premium on, and any other obligations relating to, the Series 2014 Bonds shall be equally and ratably payable solely from the Revenues. To secure the payment of Bond Service Charges, all right, title and interest of the County in and to all moneys and investments in the Bond Fund and all of the County’s rights and remedies under

the Loan Agreement (except for the Unassigned Issuer's Rights) have been duly and validly pledged to the Trustee by the Indenture.

Anything in this Resolution, the Series 2014 Bonds or the Indenture to the contrary notwithstanding, the Series 2014 Bonds do not and shall not represent or constitute general obligations, debt, bonded indebtedness or a pledge of the faith and credit of the County, the State or any other political subdivision thereof and further, nothing herein or therein gives the holders or owners of the Series 2014 Bonds, and they do not have, the right to have excises, ad valorem or other taxes levied by the County, or by the State or the taxing authority of any other political subdivision, for the payment of the principal of and interest and any premium on, or any other obligations relating to, the Series 2014 Bonds. The Series 2014 Bonds shall contain a statement to that effect and to the effect that the Series 2014 Bonds are payable solely from the Special Funds established under and other sources permitted by the Indenture and from any other money paid by Borrower or obtained by the Trustee upon the exercise of rights and remedies under the Indenture and the Loan Agreement. Nothing in the Series 2014 Bonds or the documents securing them, however, shall be deemed to prohibit the County from using, of its own volition, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms or conditions of, or its obligations under, the Indenture or the Series 2014 Bonds.

**SECTION 6. Covenants and Agreement of County.** In addition to the other covenants of the County set forth in this Resolution and the Issuer Documents (as hereinafter defined), the County further covenants and agrees as follows:

(a) Authority and Actions. The County is, and upon delivery of the Series 2014 Bonds will be, duly authorized by the laws of the State, particularly and without limitation the Act, to issue the Series 2014 Bonds, to execute and deliver the Issuer Documents and other instruments and documents to which it is a party, to provide the security for payment of the principal of and any premium or interest on the Series 2014 Bonds solely in the manner and from the sources and to the extent set forth herein, all as authorized by this Council and upon the advice of Bond Counsel. All actions on the part of the County for the issuance of the Series 2014 Bonds and the execution and delivery of the Issuer Documents and such other instruments and documents have been or will be duly and effectively taken. The Series 2014 Bonds will be valid and enforceable special obligations of the County according to the terms thereof. Each duty of the County and of its officers and employees undertaken pursuant to the Series 2014 Bonds and the Issuer Documents, is a duty specifically enjoined by law upon the County and each of those officers and employees having authority thereunder or by provision of law to perform the duty, resulting from an office, trust or station, within the meaning of Section 2731.01, Ohio Revised Code, providing for enforcement by writ of mandamus.

(b) Arbitrage and Tax Compliance Provisions; Transcript.

Upon the advice of Bond Counsel and to the extent within its authority and control, the County will restrict the use of the proceeds of the Series 2014 Bonds in such manner and to such extent as is necessary so that the Series 2014 Bonds will not constitute arbitrage bonds under Section 148 of the Code. The members of this Council, the County Executive, the Fiscal Officer or the Clerk of this Council or any other officer of the County having responsibility for the issuance of the Series 2014 Bonds, alone or in conjunction with the Borrower or any officer, employee or agent of or consultant to the Borrower, shall give an appropriate certificate of the County for inclusion in the transcript of proceedings for the Series 2014 Bonds setting forth the reasonable expectations of the County regarding the amount and use of all of the proceeds of the Series 2014 Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Series 2014 Bonds.

Upon the advice of Bond Counsel, and to the extent within its authority and control, the County (i) will take, or require to be taken, all actions that are required of it for the interest on the Series 2014 Bonds to be and remain excluded from gross income for federal income tax purposes, and (ii) will not knowingly take or authorize to be taken any actions that would adversely affect that exclusion under the provisions of the Code. The members of this Council, the County Executive, the Fiscal Officer and the Clerk of this Council and any other appropriate officers are hereby authorized and directed to take any and all actions and make or give such reports and certifications, as may be appropriate to assure such exclusions of that interest.

In its performance of these covenants, and other covenants of the County pertaining to the Series 2014 Bonds and federal income tax laws, the County may rely upon the advice of Bond Counsel.

The Clerk of this Council shall furnish to the Original Purchaser a true transcript of proceedings, certified by the Clerk, of all proceedings had with reference to the issuance of the Series 2014 Bonds together with such information from the records as is necessary to determine the regularity and validity of the issuance of the Series 2014 Bonds.

(c) Further Assurances. To the extent within its authority and control, the County shall do all things and take all actions on its part necessary to comply with the obligations, duties and responsibilities on its part under the Issuer Documents. Nothing herein or in the Issuer Documents shall be construed as requiring the County to operate the Project or to use any moneys from any source other than those provided in the Indenture and the Loan Agreement.

**SECTION 7. Issuer Documents.** To provide for the issuance and sale of the Series 2014 Bonds and the consummation of the transactions contemplated herein, the County Executive (or his designee) and the Fiscal Officer at the

direction of the County Executive, alone or in conjunction with any of the foregoing, are authorized and directed to execute, acknowledge and deliver, for and in the name and on behalf of the County, the Indenture, the Loan Agreement, the Bond Purchaser Agreement and each other document to which the County is party in connection with the issuance and delivery of the Series 2014 Bonds (collectively, the “*Issuer Documents*”), in substantially the respective forms thereof submitted to and approved by the County’s legal officer. The Issuer Documents are approved with any changes therein which are not inconsistent with this Resolution, are not adverse to the County, are permitted by the Act, and are approved by the member or members or officer or officers executing the respective Issuer Documents and by Bond Counsel and the County’s legal officer. The approval of those changes by such member or members or officer or officers, and the character of those changes as not being adverse to the County, shall be evidenced conclusively by the execution and delivery of the respective Issuer Documents by such member or members or officer or officers. The Fiscal Officer is authorized to give any certifications that may be required under Ohio Revised Code Sections 5705.41 and 5705.44 with respect to any of the Issuer Documents.

**SECTION 8. Other Documents.** The County Executive (or his designee), the President of the Council, the Fiscal Officer, the Clerk of the Council or any other officer of the County, alone or in conjunction with any of the foregoing, are authorized and directed to execute, deliver and, if applicable, file, for and in the name and on behalf of the County, any certifications, financing statements, assignments and other instruments and documents which are, in the opinion of the County’s legal officer and Bond Counsel to the County, necessary or appropriate to perfect the assignments contemplated in the Indenture and to consummate the transactions contemplated in the Issuer Documents, including the issuance of the Series 2014 Bonds. Those certifications and other instruments and documents include, without limitation, one or more reports on IRS Form 8038, any other certifications and forms necessary or advisable under the Code and a certification by the Clerk of this Council of the transcript of proceedings relating to the issuance of the Series 2014 Bonds. The Borrower is hereby authorized and directed, upon the request or direction of the County, to file any such certifications or instruments that require filing.

**SECTION 9. No Personal Liability.** No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Resolution, or in the Series 2014 Bonds, or in the Issuer Documents, or under any judgment obtained against the County or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer or employee as such, past, present, or future, of the County, including any member of the Council, either directly or through the County, or otherwise, for the payment for or to the County or any receiver thereof, or for or to the Holder, or otherwise, of any sum that may be due and unpaid by the County upon any of the Series 2014 Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer or

employee, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the County or any receiver thereof, or for or to the Borrower or the Holder, or otherwise, of any sum that may remain due and unpaid upon any Bond, shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Issuer Documents and the issuance of the Series 2014 Bonds.

**SECTION 10. Open Meeting.** This Council hereby finds and determines that all formal actions of this Council and its committees concerning and relating to the adoption of this resolution were adopted in an open meeting of this 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, Ohio Revised Code.

**SECTION 11. Effective Date.** This Resolution shall be in full force and effect immediately upon the signature of the County Executive, provided this Resolution receives the affirmative vote of eight members elected to Council. It is hereby determined to be necessary that this Resolution become immediately effective in order that the project may proceed in a timely manner.

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: January 28, 2014  
Committee(s) Assigned: Economic Development & Planning

Committee Report/Second Reading: February 11, 2014

Journal \_\_\_\_\_  
\_\_\_\_\_, 2014

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0008

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> authorizing a payment in the amount of \$350,000.00 to L.A.N.D Studio, Inc. for operational support of the Group Plan Commission; authorizing the County Executive to negotiate and execute any necessary contract or other documents for same; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, under the Medical Mart Agreement Regarding Final Project Finance Approval dated December 1, 2010, a County Contingency Fund was established in the amount of \$3,485,435.00 (“Contingency Fund”); and

WHEREAS, the County Executive and Department of Public Works have requested the authority to release a payment in the amount of \$350,000.00 from the Contingency Fund to L.A.N.D. Studio, Inc. for operational support of the Group Plan Commission; and

WHEREAS, L.A.N.D. Studio, Inc., is the fiscal agent for the Group Plan Commission; and

WHEREAS, the Group Plan Commission is a non-profit organization serving as the coordinator between the County of Cuyahoga, the City of Cleveland, and philanthropic and private sector partners who are working to revitalize Cleveland’s downtown and connect it to the Lake Erie waterfront; and

WHEREAS, the Contingency Fund is held at U.S. Bank, the Trustee for Medical Mart, and it is not a part of the County’s General Fund; and

WHEREAS, Section 3.10(a)(11) of the Cuyahoga County Contracting and Purchasing Procedures Ordinance provides that the Cuyahoga County Council may review and approve any “contract, purchase, sale, lease, grant made by the County, loan made by the County, or any exemption, procedure, or other action within the process of completing any such contract, purchase, sale, lease, grant, exemption, or loan that does not otherwise require Council approval, but the County Executive, Board of Control, or Contracts and Purchasing Board determines to submit to Council for its consideration, review, and approval; and

WHEREAS, Section 3.18 of the Cuyahoga County Contracting and Purchasing Procedures Ordinance provides that the “County Executive may refer an item to the



First Reading/Referred to Committee: January 14, 2014

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Journal CC013

\_\_\_\_\_, 2014

# [PROPOSED SUBSTITUTE RESOLUTION]

## County Council of Cuyahoga County, Ohio

### Resolution No. R2014-0008

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> authorizing a payment in the amount of \$350,000.00 to L.A.N.D Studio, Inc. for operational support of the Group Plan Commission; authorizing the County Executive to negotiate and execute any necessary contract or other documents for same; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County currently has funds reserved for the Convention Center and Global Center for Health Innovation, and such reserve is in excess of ~~\$11,000,000 under the Medical Mart Agreement Regarding Final Project Finance Approval dated December 1, 2010, a County Contingency Fund was established in the amount of \$3,485,435.00~~ (“~~Contingency~~**Reserve** Fund”); and

WHEREAS, the County Executive and Department of Public Works have requested the authority to release a payment in the amount of \$350,000.00 from the ~~Contingency~~**Reserve** Fund to L.A.N.D. Studio, Inc. for operational support of the Group Plan Commission; and

WHEREAS, L.A.N.D. Studio, Inc., is the fiscal agent for the Group Plan Commission; and

WHEREAS, the Group Plan Commission is a non-profit organization serving as the coordinator between the County of Cuyahoga, the City of Cleveland, and philanthropic and private sector partners who are working to revitalize Cleveland’s downtown and connect it to the Lake Erie waterfront; and

~~WHEREAS, the Contingency Fund is held at U.S. Bank, the Trustee for Medical Mart, and it is not a part of the County’s General Fund; and~~

WHEREAS, Section 3.10(a)(11) of the Cuyahoga County Contracting and Purchasing Procedures Ordinance provides that the Cuyahoga County Council may review and approve any “contract, purchase, sale, lease, grant made by the County, loan made by the County, or any exemption, procedure, or other action within the process of completing any such contract, purchase, sale, lease, grant, exemption, or loan that does not otherwise require Council approval, but the County Executive,

Board of Control, or Contracts and Purchasing Board determines to submit to Council for its consideration, review, and approval; and

WHEREAS, Section 3.18 of the Cuyahoga County Contracting and Purchasing Procedures Ordinance provides that the “County Executive may refer an item to the County Council for approval that otherwise would require approval from the Board of Control or the Contracts and Purchasing Board”; and

WHEREAS, the County Executive has determined to submit this intended action to the County Council instead of the Cuyahoga County Board of Control for its review and approval pursuant to Section 3.10(a)(11) and Section 3.18 of the Cuyahoga County Purchasing and Procedures Ordinance; 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.** The Cuyahoga County Council hereby authorizes the Department of Public Works to release a payment in the amount of \$350,000.00 from the ~~Contingency~~ Reserve Fund to L.A.N.D. Studio, Inc. for operational support of the Group Plan Commission.

**SECTION 2.** The County Executive is hereby authorized to negotiate and execute any necessary contract or other documents to effectuate the release of the funds under the terms specified in this Resolution.

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

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: January 14, 2014

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Journal CC013

February 11, 2014

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0015

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> approving the appropriation of funds for Year 2014 based on the Statement of Appropriation Status dated 12/31/2013, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Fiscal Officer/Office of Budget & Management, recommends the appropriation of funds for Year 2014 based on the attached Statement of Appropriation Status dated 12/31/2013 for: a) free balances for grants and capital projects, b) encumbrances for grants and capital projects, and c) encumbrances for all other funds; and,

WHEREAS, pursuant to R.C. 5705.38, each year the County must appropriate funds for each of its non-trust and agency accounts; and,

WHEREAS, the County appropriates the full amount of a grant or capital project when it is first identified; and,

WHEREAS, the free balance (the unexpended and unencumbered appropriation) is then appropriated each following year until the grant or capital project is completed; and,

WHEREAS, encumbrances for capital projects, grant funds and all other funds must also be appropriated and these encumbrances represent payments in process or contract in place at the end of the year that span more than one (1) calendar year; 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.** The County Council hereby approves the appropriation of funds for Year 2014 based on the attached Statement of Appropriation Status dated 12/31/2013 for: a) free balances for grants and capital projects, b) encumbrances for grants and capital projects, and c) encumbrances for all other funds.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0032

Sponsored by: <b>County Executive FitzGerald/Department of Human Resources</b>	<b>A Resolution</b> authorizing an agreement with City of Highland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 2/1/2014 - 12/31/2016; 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/Department of Human Resources has submitted an agreement with the City of Highland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 2/1/2014 - 12/31/2016; 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 authorizes an agreement with the City of Highland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 2/1/2014 - 12/31/2016.

**SECTION 2.** That the County Executive is authorized to execute an agreement of cooperation with the City of Highland Heights 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.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0033

Sponsored by: <b>County Executive FitzGerald/Department of Human Resources</b>	<b>A Resolution</b> authorizing an agreement with City of University Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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/Department of Human Resources has submitted an agreement with the City of University Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016; 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 authorizes an agreement with the City of University Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 1/1/2014 - 12/31/2016.

**SECTION 2.** That the County Executive is authorized to execute an agreement of cooperation with the City of University Heights 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.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2013-0294

Sponsored by: <b>County Executive FitzGerald/Department of Development</b>	A <b>Resolution</b> authorizing an Economic Development Fund Large Scale Attraction Loan in the amount not-to-exceed \$805,000.00 to Remedi SeniorCare of Ohio-Northeast, LLC for relocation and expansion of a facility located at 26251 Bluestone Boulevard, Euclid; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.
Co-sponsored by: <b>Councilmember Simon</b>	

WHEREAS, the County Executive/Department of Development has recommended an Economic Development Fund Large Scale Attraction Loan in the amount not-to-exceed \$805,000.00 to Remedi SeniorCare of Ohio-Northeast, LLC for relocation and expansion of a facility located at 26251 Bluestone Boulevard, Euclid, Ohio; and

WHEREAS, the primary goals of this project is to assist with the relocation and expansion of Remedi SeniorCare at the Bluestone Industrial Park in Euclid, specifically, the County funds would assist with the acquisition of machinery and equipment for the new facility; and

WHEREAS, this project is anticipated to create 138 full-time equivalent jobs; and

WHEREAS, the total project costs are estimated at \$27,526,300.00 and the County will loan \$805,000.00 with a fixed interest rate of 3%, which must be repaid within seven (7) years; 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 authorizes an Economic Development Fund Large Scale Attraction Loan in the amount not-to-exceed

\$805,000.00 to Remedi SeniorCare of Ohio-Northeast, LLC for relocation and expansion of a facility located at 26251 Bluestone Boulevard, Euclid, Ohio.

**SECTION 2.** That the Deputy Chief of Staff of Development or the Director of Development is authorized to execute all documents required in connection with said loan agreement on behalf of the County Executive.

**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

Legislation Withdrawn at the Request of the Sponsors on behalf of Department of Development: December 10, 2013

Legislation Reintroduced at the Request of the Sponsor: January 14, 2014

First Reading/Referred to Committee: January 14, 2014

Committee(s) Assigned: Economic Development & Planning

Committee Report/Second Reading: January 28, 2014

Legislation Amended on the Floor: January 28, 2014

Additional Sponsorship Requested on the Floor: January 28, 2014

Journal CC013

February 11, 2014

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0014

<b>Sponsored by: County Executive FitzGerald/Department of Human Resources on behalf of Personnel Review Commission</b>	<b>A Resolution</b> providing for adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, this Resolution was originally submitted as Ordinance No. O2013-0008 which was subsequently withdrawn and resubmitted in the following Resolution; and,

WHEREAS, on December 20, 2013, County Charter amendments became effective which provided for the Human Resource Commission to be renamed the Personnel Review Commission.

WHEREAS, Section 9.03 of the Charter of Cuyahoga County states that the Cuyahoga County Personnel Review Commission shall administer a clear, countywide classification and salary administration system for technical, specialist, administrative and clerical functions with a limited number of broad pay ranges within each classification; and,

WHEREAS, Section 2.10 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinances No. O2011-0015 and O2011-0028) states that the employment of all classified County employees is subject to the provisions of the Ohio Revised Code, the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and,

WHEREAS, the Director of Human Resources submitted several proposed changes to the Cuyahoga County Non-Bargaining Classification Plan; and,

WHEREAS, the then known as Human Resource Commission considered this matter and has undergone significant review, evaluation and modification of such submitted changes to the Cuyahoga County Non-Bargaining Classification Plan; and,

WHEREAS, on January 23, 2013 and December 5, 2013, the then known as Human Resource Commission met and recommended the classification changes (attached hereto as Exhibits A through R), and recommend to County Council the formal adoption and implementation of the attached changes; and,

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

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

**SECTION 1.** That the Cuyahoga County Council hereby adopts the following changes to the Cuyahoga County Non-Bargaining Classification Plan:

Deletion of the following Classifications: (See Attached Classification Specifications)

- |            |              |   |
|------------|--------------|---|
| Exhibit A: | Class Title: | <i>Building &amp; Grounds Superintendent</i>            |
|            | Number:      | 1042114   |
|            | Pay Grade:   | 9   |
| Exhibit B: | Class Title: | <i>Community &amp; Economic Development Manager</i>     |
|            | Number:      | 1055241   |
|            | Pay Grade:   | 15  |
| Exhibit C: | Class Title: | <i>Facility Services Manager</i>                        |
|            | Number:      | 1042161   |
|            | Pay Grade:   | 17  |
| Exhibit D: | Class Title: | <i>Hazardous Materials Supervisor</i>                   |
|            | Number:      | 1062421   |
|            | Pay Grade:   | 10  |
| Exhibit E: | Class Title: | <i>Juvenile Justice Center Building Project Manager</i> |
|            | Number:      | 1042181   |
|            | Pay Grade:   | 17  |
| Exhibit F: | Class Title: | <i>Personnel Administrator 1</i>                        |
|            | Number:      | 1053631   |
|            | Pay Grade:   | 12  |
| Exhibit G: | Class Title: | <i>Personnel Administrator 2</i>                        |
|            | Number:      | 1053632   |
|            | Pay Grade:   | 13  |
| Exhibit H: | Class Title: | <i>Personnel Administrator 3</i>                        |
|            | Number:      | 1053633   |
|            | Pay Grade:   | 14  |

Exhibit I:	Class Title:	<i>Personnel Manager</i>
	Number:	1053634
	Pay Grade:	15
Exhibit J:	Class Title:	<i>Personnel Officer</i>
	Number:	1053621
	Pay Grade:	6
Exhibit K:	Class Title:	<i>Personnel Technician</i>
	Number:	1053611
	Pay Grade:	4
Exhibit L:	Class Title:	<i>Program Officer Manager</i>
	Number:	1052416
	Pay Grade:	17
Exhibit M:	Class Title:	<i>Risk &amp; Compliance Manager</i>
	Number:	1055363
	Pay Grade:	15
Exhibit N:	Class Title:	<i>Security Camera Coordinator</i>
	Number:	1024101
	Pay Grade:	2
Exhibit O:	Class Title:	<i>Senior Family Services Supervisor</i>
	Number:	1014212
	Pay Grade:	7
Exhibit P:	Class Title:	<i>Senior Personnel Officer</i>
	Number:	1053622
	Pay Grade:	8
Exhibit Q:	Class Title:	<i>Senior Risk Analyst</i>
	Number:	1055362
	Pay Grade:	9
Exhibit R:	Class Title:	<i>Training Assistant</i>
	Number:	1053641
	Pay Grade:	4

**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: January 14, 2014

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

Committee Report/Second Reading: January 28, 2014

Journal CC013

February 11, 2014

# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Building & Grounds Superintendent	<b>Class Number:</b>	1042114
		<b>Pay Grade:</b>	9

<b>Departments:</b>	Development, only
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### **Classification Function**

The purpose of this classification is to coordinate building, grounds and vehicle maintenance for a County Department.

### **Essential Duties and Responsibilities**

The following duties are normal for this position. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Coordinates building, grounds and vehicle maintenance for a County Department (e.g.-schedules current work assignments and prepares schedules; tracks work that is underway; plans future work; assures availability of proper equipment for all jobs; coordinates outside contracts; instructs and reviews building maintenance personnel duties; makes recommendations regarding hiring, discipline, and discharge; oversees and performs maintenance on County vehicles; prepares reports concerning necessary maintenance).
- Performs safety inspections of building facilities and maintenance activities (e.g.- inspects boiler gauges for safe readings; observes maintenance workers to ensure that proper safety precautions are followed). Coordinates disaster preparedness for building(s).

### **Minimum Training and Experience Required to Perform Essential Job Functions**

Vocational or technical training in building trades with five years of building and grounds maintenance experience including two years of supervisory experience or any equivalent combination of training and experience.

#### **Additional Requirements**

Applicable building trades certifications required and Ohio driver's license.

### **Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**

#### **Physical Requirements**

- Ability to operate a variety of automated office machines including typewriter, copier and telephone.
- Ability to operate a variety of motorized equipment including tractor, lawn mower, dump truck and pick-up truck.
- Ability to use a variety of building trades tools including mechanic's tools, carpentry tools and plumber's tools.

#### **Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.

- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, and calculate decimals and percentages.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including invoices, payroll documents, blueprints and other reports and records.
- Ability to comprehend a variety of reference books and manuals including personnel policy manuals.
- Ability to prepare payroll documents, attendance records, correspondence and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret electrical and mechanical repair terminology and language.
- Ability to communicate with Director, County employees, other tradespeople and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.
- Work may be performed outdoors in varying weather conditions.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Community & Economic Development Manager	<b>Class Number:</b>	1055241
		<b>Pay Grade:</b>	15

<b>Departments:</b>	Development, only
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## Classification Function

The purpose of this classification is to manage the County's community development, economic development, and brownfield redevelopment programs. Create vision and appraise projects and programs in terms of economic development potential, community impact, financial feasibility and marketability.

## Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Manages the County's community development, economic development, and brownfield development programs (e.g.- meets with director to coordinate and develop division goals, operations, direction, activities and policies; manages and directs multiple community development, economic development and brownfield redevelopment programs and activities; researches, analyzes, and evaluates existing operations, systems, policies and procedures to identify areas for improvement and enhancement; interacts with private development clients and consultants; implements programs which lend and grant money to private, non-profit and public entities).
- Supervises analysts and support staff (e.g.- assigns work and reviews completed work; provides job training and instruction; evaluates employee performance; recommends selection, promotion, and discipline; reviews and approves employee leave requests).
- Represents County at various meetings and conferences (e.g.- provides technical assistance and support to boards and commissions regarding community and economic development issues; attends meetings and seminars to make presentations regarding community development, economic development and brownfield redevelopment programs).
- Performs related administrative duties (e.g.- prepares correspondence to communities, businesses and other organizations regarding community and economic development issues; prepares and/or provides input on various reports for local, state and federal program requirements; maintains necessary files and records).

## Minimum Training and Experience Required to Perform Essential Job Functions

Master's degree in business administration with three years of experience with community development, economic development or brownfield redevelopment programs; or any equivalent combination of training and experience.

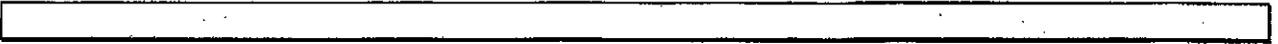
### Additional Requirements

No special license or certification is required.

## Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

### Physical Requirements

- Ability to operate a variety of automated office machines including personal computer, typewriter, adding machine, calculator and copier.



**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the selection, transfer, or promotion of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages and apply the principles of descriptive statistics.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including bi-weekly reports, U.S. EPA Quarterly Reports, Clean Ohio Fund Quarterly Reports, tax statements, financial statements, financial projections, appraisals and studies, architectural drawings, invoices, correspondence and other reports and records.
- Ability to comprehend a variety of reference books and manuals including financial analysis handbooks, accounting principles texts, census data, construction methods books, CDBG regulations, the Ohio Revised Code and Federal Register.
- Ability to prepare requests for Board actions, performance appraisals, annual reports, Clean Ohio Fund Reports, U.S. EPA reports, loan analysis, tax abatement reports, grant applications, budgets, correspondence, project descriptions and other job-related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage, supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret legal, engineering, real estate, accounting and marketing terminology and language.
- Ability to communicate with Director, elected officials, municipal employees, attorneys, developers, accountants, bank officers, lobbyists, external organizations, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Facility Services Manager	<b>Class Number:</b>	1042161
		<b>Pay Grade:</b>	17

<b>Departments:</b>	Central Services, only
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## Classification Function

The purpose of this classification is to manage the custodial maintenance program, building trades, capital projects and engineering services.

## Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Manages, plans and coordinates all custodial maintenance, construction projects, and engineering services (e.g.- prepares annual budget; determines staffing needs for custodial maintenance; oversees custodial programs for customer satisfaction and compliance; monitors completion of work orders; coordinates and schedules maintenance and construction work with affected County office(s); visits construction project sites to inspect work).
- Supervises building trades employees (e.g.- recommends hiring; assigns and reviews completed work assignments; prepares employee performance evaluations; approves employee leave requests and monitors use of leave; recommends discipline and selection).
- Oversees all contracted services relating to construction projects and maintenance (e.g.- prepares specifications for contracted work; reviews proposals and quotes; selects contractors for emergency work).
- Performs related administrative responsibilities (e.g.- approves purchases within budgetary guidelines; responds to written and verbal inquiries and complaints; maintains related records).

## Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in management studies with six years of construction/maintenance experience including three years of supervisory experience or any equivalent combination of training and experience.

### Additional Requirements

No additional license or certification is required.

## Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

### Physical Requirements

- Ability to operate a variety of automated office machines including personal computer, calculator, copier and telephone.

### Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.

- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages and apply the basic principles of algebra and geometry.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including production reports, work-orders, union contracts, invoices, payroll documents, employee leave requests, mechanical drawings, electrical diagrams, blueprints, technical study reports and other reports and records.
- Ability to comprehend a variety of reference books and manuals including Ohio Revised Code, building codes, Americans with Disabilities manual, equipment handbooks and operating manuals, and County policies and procedures manuals.
- Ability to prepare maintenance reports, construction progress reports, building safety reports, correspondence and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage, supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret architectural, electrical and mechanical terminology and language.
- Ability to communicate with elected officials, administrators, sales representatives, County employees, contractors, state inspectors, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office and shop environment.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Hazardous Materials Supervisor	<b>Class Number:</b>	1062421
		<b>Pay Grade:</b>	10

<b>Departments:</b>	Justice Affairs, only
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## Classification Function

The purpose of this classification is to plan and administer the County's hazardous materials program and to supervise environmental specialists.

## Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Performs administrative and planning duties related to the County's overall emergency management program including the hazardous materials program (e.g.- directs the annual update of the Comprehensive Plan for Response to Hazardous Materials Incidents; receives and responds to notifications of emergency releases of hazardous Materials; coordinates the development of annual emergency exercises involving hazardous materials; provides staff research, documentation and recommendations regarding environmental affairs; directs compliance and enforcement programs for facilities subject to environmental regulations; provides on-call incident command service for the County's Emergency Operations Center during major emergency incidents).
- Supervises environmental specialists (e.g. - plans, coordinates, assigns and reviews work; provides job training and instruction; responds to employee problems; evaluates performance; recommends disciplinary action when appropriate).
- Manages the administrative functions of the Local Emergency Planning Committee (LEPC) (e.g.- schedules meetings, prepares grant proposals; records minutes of meetings; prepares meeting agendas; recommends policies, resolutions and long term planning goals; provides staff direction and support for the committee and its sub-committees; manages and performs public outreach activities).
- Functions as County's liaison with various organizations and individuals including State Emergency Response Commission (SERC), Ohio EPA, Ohio EMA, emergency responders and elected officials from communities (e.g. - responds to questions; assists with problem resolution; receives and documents information).

## Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in environmental science, emergency management or related field and three years of hazardous materials experience; or any equivalent combination of training and experience.

### Additional Requirements

Requires OSHA's Hazardous Materials certification.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions****Physical Requirements**

- Ability to operate a variety of automated office machines including personal computer, printer, adding machine, typewriter, and copier.
- Ability to operate audio-visual equipment including overhead projector, slide projector and VCR.
- Ability to operate communications equipment including cellular phone and two-way radios.
- Ability to operate a motor vehicle.

**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages, and make use of the principles of algebra, geometry and trigonometry.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including time sheets, payroll records, employee performance evaluations, employee leave requests, invoices/vouchers, hazardous waste permits, emergency plans, facility hazard analysis, material safety data sheets, annual chemical inventories, facility inspections, chemical spill notifications, environmental audits, public information requests, protocols, grant requests, LEPC forms, work plans, proposals, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including environmental data bases, computer manuals, software manuals, chemical abstracts, census data, maps, technical manuals, state and local plans and protocols, Ohio Revised Code, Ohio Administrative Code, Federal Register and Code of Federal Regulations and personnel policy manuals.
- Ability to prepare comprehensive annual plan, LEPC minutes and by-laws, policy development documents, flow charts and diagrams, surveys, environmental audits, damage assessments, annual exercise and plan approval documents, budget requests, press releases, grant requests, memos, correspondence, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, and to follow instructions.
- Ability to use and interpret legal, engineering/environmental, and accounting terminology and language.
- Ability to communicate effectively with supervisors, program coordinators, Board of Commissioners, and committee members, elected officials, other County employees, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.
- Work involves responding to emergency situations and exposure to various weather conditions and the imminent danger of the emergency, such as hazardous materials or natural disasters.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Juvenile Justice Center Building Project Manager	<b>Class Number:</b>	1042181
		<b>Pay Grade</b>	17

<b>Departments:</b>	Central Services, only
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### Classification Function

The purpose of this classification is to assist the Director in facilitating project development of the Juvenile Justice Center's design, building systems, and construction.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Assist the Director in facilitating project development of the Juvenile Justice Center's design, building systems, and construction.
- Administer the architecture, engineering, and contract management contracts including hazardous material remediation contracts. Conduct architectural and engineering document reviews.
- Facilitate consultant progress through internal information generation and dissemination.
- Facilitate and monitor maintenance of project construction cost and time schedule. Monitor construction process.
- Facilitate communication and decision process.
- Serve as a cross-functioning team member for technology applications, planning and programming, business management, move management, finance, integrated workplace design, real estate, public relations, and commissioning.

### Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in architecture or related field with six years of architectural experience or any equivalent combination of training and experience.

#### Additional Requirements

Architecture license or equivalent.

### Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

#### Physical Requirements

- Ability to operate a variety of automated office machines including personal computer, calculator, fax, copier and telephone.

#### Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages and apply the basic principles of algebra and geometry.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including architectural drawings, technical specifications, project specifications, progress reports, proposals, technical reports, invoices, electrical diagrams, blueprints, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including Ohio Revised Code, building codes, Americans with Disabilities manual, architectural specifications, zoning drawings, equipment handbooks and operating manuals, and County policies and procedures manuals.
- Ability to prepare architectural drawings, architectural and technical specifications, project budgets, project completion schedules, contractor payments, construction progress reports, correspondence and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees and contractors, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret architectural, electrical and mechanical terminology and language.
- Ability to communicate with elected officials, administrators, sales representatives, County employees, contractors, state inspectors, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment, but includes onsite inspections and reviews.

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## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Personnel Administrator I	<b>Class Number:</b>	1053631
		<b>Pay Grade:</b>	12

<b>Departments:</b>	All departments
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### Classification Function

The purpose of this classification is to administer a comprehensive personnel program in a department of less than 400 employees, or to assist a higher level personnel administrator in a department of greater than 400 employees, and to supervise personnel officers and personnel technicians. Personnel services include employment, benefits, classification and compensation, and personnel policy administration.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Administers comprehensive personnel program in a department of less than 400 employees, or to assist a higher level personnel administrator in a department with greater than 400 employees, with responsibility for a variety of personnel services including employment, benefits, classification and compensation, and personnel policy administration (e.g.- directs and maintains overall operation of personnel service(s); develops personnel policy recommendations and forwards to County Human Resource Department (CHRD) and Board of County Commissioners).
- Supervises personnel officers and personnel technicians (e.g.- plans, coordinates, assigns and reviews work; evaluates performance; responds to employee problems; maintains work standards; provides instruction and training; recommends selection, transfer, promotion, or discipline of employees; evaluates performance; reviews and approves requests for leave).
- Functions as department's liaison with the County Personnel Department (e.g.- responds to questions from the general public and employees regarding personnel policies and procedures; investigates complaints from department employees; represents department at meetings and conferences regarding personnel issues).
- Provides personnel services for assigned County department in the area of employment and benefits (e.g.-reviews employment applications for minimum qualifications; verifies references; schedules employment interviews; conducts or witnesses interviews; posts vacancies; prepares personnel requisition forms for vacant positions; contacts recommended applicants with job offer; coordinates completion of employment paperwork by new employee; responds to employment questions from general public and County employees; answers questions regarding benefit enrollment process; serves as liaison with the Public Employee's Retirement System (PERS)).
- Provides classification and compensation services for County (e.g.- prepares and corrects position descriptions or job postings as positions become vacant or change; conducts job audits and makes recommendations; researches job classification directory for appropriate classification of new positions).

### Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in personnel administration, human resources or related field with five years of personnel experience; or any equivalent combination of training and experience.

#### Additional Requirements

No special license or certification is required.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions****Physical Requirements**

- Ability to operate a variety of automated office machines including typewriter, computer terminal, printer, personal computer, calculator, copier and fax machine.

**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages and apply the principles of descriptive statistics.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including employment applications, résumés, PERS applications, job audit forms, job classifications, performance evaluations, requests for leave and other reports and records.
- Ability to comprehend a variety of reference books and manuals including the PERS manual, Americans with Disabilities Act (ADA) handbook, job classification book, personnel policy manuals and the Ohio Revised Code.
- Ability to prepare position postings, surveys, performance evaluations, position descriptions, letters, memos and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage people and programs, to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret personnel terminology and language.
- Ability to communicate with the County Commissioners, County Human Resource Director, CHRD personnel, directors, managers, supervisors, other County employees, other elected officials and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.

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## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Personnel Administrator 2	<b>Class Number:</b>	1053632
		<b>Pay Grade:</b>	13

<b>Departments:</b>	All departments
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### Classification Function

The purpose of this classification is to administer a comprehensive personnel program in a department of greater than 400 employees and to supervise lower level personnel administrators, personnel officers and personnel technicians. Personnel services include employment, benefits, classification and compensation, personnel policy administration, labor relations and training and development.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Administers comprehensive personnel program in a department of greater than 400 employees with responsibility for a variety of personnel services including employment, benefits, classification and compensation, personnel policy administration and training and development (e.g.- directs and maintains overall operation of personnel service(s); develops personnel policy recommendations and forwards to County Human Resource Department and Board of County Commissioners).
- Supervises lower level personnel administrators, personnel officers, personnel technicians and/or training personnel (e.g.- plans, coordinates, assigns and reviews work; evaluates performance; responds to employee problems; maintains work standards; provides instruction and training; recommends selection, transfer, promotion, or discipline of employees; evaluates performance; reviews and approves requests for leave).
- Oversees department training program (e.g.- coordinates training personnel; reviews training program proposals and makes recommendation for new training; reviews training participation reports and evaluations to ensure that training goals are met).
- Functions as department's liaison with the County Human Resource Department (CHRD) (e.g.- responds to questions from the general public and employees regarding personnel policies and procedures; investigates complaints from department employees; represents department at meetings and conferences regarding personnel issues).
- Functions as department's representative for labor relations and collective bargaining issues (e.g.- attends all disciplinary hearings for department employees; recommends disciplinary action to be taken based upon guidelines).
- Provides personnel services for assigned County department in the area of employment and benefits (e.g.-reviews employment applications for minimum qualifications; verifies references; schedules employment interviews; conducts or witnesses interviews; posts vacancies; prepares personnel requisition forms for vacant positions; contacts recommended applicants with job offer; coordinates completion of employment paperwork by new employee; responds to employment questions from general public and County employees; answers questions regarding benefit enrollment process; serves as liaison with the Public Employee's Retirement System (PERS)).
- Provides classification and compensation services for County (e.g.- prepares and corrects position descriptions or job postings as positions become vacant or change; conducts job audits and makes recommendation; researches job classification directory for appropriate classification of new positions).

**Minimum Training and Experience Required to Perform Essential Job Functions**

Bachelor's degree in personnel administration, human resources or related field with nine years of personnel experience including four years in a supervisory capacity; or any equivalent combination of training and experience.

**Additional Requirements**

No special license or certification is required.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions****Physical Requirements**

- Ability to operate a variety of automated office machines including typewriter, computer terminal, printer, personal computer, calculator, copier and fax machine.

**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages and apply the principles of descriptive statistics.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including employment applications, résumés, PERS applications, job audit forms, job classifications, performance evaluations, requests for leave and other reports and records.
- Ability to comprehend a variety of reference books and manuals including the PERS manual, Americans with Disabilities Act (ADA) handbook, job classification book, personnel policy manuals and Ohio Revised Code
- Ability to prepare position postings, surveys, performance evaluation, position descriptions, letters, memos and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage people and programs, to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret personnel terminology and language.
- Ability to communicate with the County Commissioners, County Human Resource Director, CHRD personnel, directors, managers, supervisors, other County employees, other elected officials and the general public.

**Environmental Adaptability**



- Work is typically performed in an office environment.

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# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Personnel Administrator 3	<b>Class Number:</b>	1053633
<b>FLSA:</b>	Exempt	<b>Pay Grade:</b>	14

<b>Departments:</b>	County Human Resource Department (CHRD), only
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### Classification Function

The purpose of this classification is to assist the Personnel Manager in administration of all County personnel services in compliance with Sections 124.01 - 124.64 and Chapter 325 of the Ohio Revised Code and supervise lower-level personnel administrators. Personnel services include employment, benefits, classification and compensation, personnel policy administration, and training and development.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Assists the Personnel Manager in administration of all County personnel services in compliance with Sections 124.01 - 124.64 and Chapter 325 of the Ohio Revised Code (e.g.- assists with enforcement of administrative rules for the purpose of carrying out the functions, powers and duties of the County Human Resource Department; ensures departments and agencies are in compliance with rules, regulations, laws, collective bargaining agreements and Ohio Revised Code sections; represents County at hearings with the State Personnel Board of Review).
- Supervises lower-level personnel administrators, personnel officers and assigned staff (e.g.- plans, coordinates, assigns and reviews work; evaluates performance; responds to employee problems; maintains work standards; provides instruction and training; recommends selection, transfer, promotion, or discipline of employees; evaluates performance; reviews and approves requests for leave).
- Trains staff regarding human resources and technical issues related to countywide human resources information system (HRIS) (e.g.- train staff on preparing personnel actions, personnel action revisions, and organization management within the HRIS; coordinates non-routine changes in HRIS as directed by the Personnel Manager; assists the Systems Division with coordinating and testing HRIS updates).
- May coordinate special projects (e.g.- establishes goals and timelines; facilitates, oversees and expedites the paper flow for processing paperwork for various forms (new hire packets, promotions, FMLA forms); ensures timelines of sensitive transactions are completed in a timely manner).

### Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in personnel administration, human resources or related field with nine years of personnel experience including three years in a supervisory capacity; or any equivalent combination of training and experience.

### Additional Requirements

No special license or certification is required.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions****Physical Requirements**

- Ability to operate a variety of automated office machines including personnel computer, printer, calculator, copier and fax machine.

**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages and apply the principles of descriptive statistics.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including employment applications, résumés, PERS applications, job audit forms, performance evaluations, requests for leave and other reports and records.
- Ability to comprehend a variety of reference books and manuals including the PERS manual, Americans with Disabilities Act (ADA) handbook, personnel policy manuals and Ohio Revised Code.
- Ability to prepare position postings, surveys, performance evaluations, job audit reports, position descriptions, correspondence and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage, supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret human resource terminology and language.
- Ability to communicate with the County Board of Commissioners, County Administrator, County Human Resource Director, CHRD personnel, directors, managers, supervisors, State Personnel Board of Review, other County employees, other elected officials and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.

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# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Personnel Manager	<b>Class Number:</b>	1053634
		<b>Pay Grade:</b>	15

<b>Departments:</b>	County Human Resource Department (CHRD), only
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## Classification Function

The purpose of this classification is to manage the County's plan and personnel services in compliance with Sections 124.01 - 124.64 and Chapter 325 of the Ohio Revised Code. Personnel services include employment, benefits, classification and compensation, personnel policy administration, and training and development.

## Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Manages and administers the County's classification and compensation plan (e.g.- reviews job audit findings and assigns employees to proper classifications; conducts job audits and assigns appropriate classification; reviews establishment of new positions for appropriate classification; maintains record of final decisions regarding classification of positions and assignment of employees to classifications; coordinates public hearings and submission of data to applicable state agencies).
- Assists the County Human Resource Director in administration of all County personnel services in compliance with Sections 124.01 - 124.64 and Chapter 325 of the Ohio Revised Code (e.g.- assists with enforcement of administrative rules for the purpose of carrying out the functions, powers and duties of the County Human Resource Department; maintains roster of all employees in the classified civil service; represents the County at hearings with State Personnel Board of Review).
- Coordinates County's competitive testing and selection process (e.g.- coordinates development of competitive selection and testing instruments; prepares lists of persons qualified for appointment to positions; participates in selection process for new employees; reviews department selections for compliance).
- Supervises lower level personnel administrators, personnel officers, and assigned staff (e.g.- plans, coordinates, assigns and reviews work; evaluates performance; responds to employee problems; maintains work standards; provides instruction and training; recommends selection, transfer, promotion, or discipline of employees; evaluates performance; reviews and approves requests for leave).

## Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in personnel administration, human resources or related field with ten years of personnel experience including five years in a supervisory capacity; or any equivalent combination of training and experience.

### Additional Requirements

No special license or certification is required.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions****Physical Requirements**

- Ability to operate a variety of automated office machines including typewriter, computer terminal, printer, personal computer, calculator, copier and fax machine.

**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages and apply the principles of descriptive statistics.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including employment applications, résumés, PERS applications, job audit forms, performance evaluations, requests for leave and other reports and records.
- Ability to comprehend a variety of reference books and manuals including the PERS manual, Americans with Disabilities Act (ADA) handbook, job classification book, personnel policy manuals and Ohio Revised Code.
- Ability to prepare position postings, surveys, performance evaluations, job audit reports, job classifications, position descriptions, correspondence and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage, supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret personnel terminology and language.
- Ability to communicate with the County Board of Commissioners, County Administrator, County Human Resource Director, CHRD personnel, directors, managers, supervisors, Department of Administrative Services, State Personnel Board of Review, other County employees, other elected officials and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.

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# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Personnel Officer	<b>Class Number:</b>	1053621
		<b>Pay Grade:</b>	6

<b>Departments:</b>	All departments
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**Classification Function**

The purpose of this classification is to provide personnel services for County department in the areas of employment, benefits, and classification and compensation.

**Essential Job Functions**

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Provides personnel services for assigned County department in the area of employment and benefits (e.g.-reviews employment applications for minimum qualifications; verifies references; schedules employment interviews; conducts or witnesses interviews; posts vacancies; prepares personnel requisition forms for vacant positions; contacts recommended applicants with job offer; coordinates completion of employment paperwork by new employee; responds to employment questions from general public and County employees; answers questions regarding benefit enrollment process).
- Provides classification and compensation services for County (e.g.- prepares and corrects position descriptions or job postings as positions become vacant or change; updates organizational chart when needed; coordinates the distribution of performance evaluations; etc.).
- Performs miscellaneous duties (e.g.- calculates payable hours for each employee and charges appropriate hours of leave used during pay period; distributes pay checks on bi-weekly basis; reviews bi-weekly report of leave balances for each employee; monitors overtime expenditures for budgetary availability; coordinates completion of flexible time schedules).

**Minimum Training and Experience Required to Perform Essential Job Functions**

Vocational education in business administration or human resources with two years of human resource experience; or any equivalent combination of training and experience.

**Additional Requirements**

No special license or certification is required.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**

**Physical Requirements**

- Ability to operate a variety of automated office machines including personal computer, computer terminal, printer, copier, typewriter, calculator.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide and calculate decimals and percentages.

**Language Ability & Interpersonal Communication**

□

- Ability to comprehend a variety of informational documents including payroll reports and records, employment applications personnel action forms, position descriptions, personnel files and other reports and records.
- Ability to comprehend a variety of reference books and manuals including computer manuals, software manuals, Ohio Revised Code and personnel policy manuals.
- Ability to prepare personnel actions, tables of organization, performance evaluations, attendance reports, payroll forms, overtime reports and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret personnel terminology and language.
- Ability to communicate with County employees, general public, Human Resource Director, and other personnel officers.

**Environmental Adaptability**

- Work is typically performed in an office environment.

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## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Personnel Technician	<b>Class Number:</b>	1053611
<b>FLSA:</b>	Non-Exempt	<b>Pay Grade:</b>	4
<b>Departments</b>	Office of Human Resources, only		

### Classification Function

The purpose of this classification is to provide services in the Office of Human Resources that encompass the processing of payroll, personnel documentation, calculation of employee compensatory benefit balances and maintaining employee personnel files. Classification also performs miscellaneous clerical support activities.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Processes payroll (e.g.- performs maintenance of payroll information including wage changes, name and address changes, time sheets, overtime, and AWOL; prepares employee checklist and reconciles timesheets to the checklist; answers questions to assist employees; distributes paychecks).
- Maintains compensatory benefits balances (e.g.- enters usage of sick leave, vacation and compensatory time into human resource information system; reconciles discrepancies).
- Processes personnel documentation (e.g.- verifies personnel information is correct; processes combination forms; files completed paperwork; forwards to appointing authority for signature; files personnel action forms in the employee's personnel file; processes position descriptions for new or reclassified positions; places copy of new description in employee's personnel file; maintains master file of position descriptions).
- Performs miscellaneous clerical support activities for human resource division of a County department (e.g.- responds to employee's questions regarding benefits and open enrollment; updates union rates; processes applications for screening process; processes employment verifications; schedules interviews and testing for employees; prepares new hire documentation; processes turnarounds; processes child support checks; prepares discipline documents and grievance hearing paperwork; calculates incoming money for Jury Duty; ID's, replacement locker keys and copies; prepares correspondence).

### Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma with two years of human resource experience; or any equivalent combination of training and experience.

#### Additional Requirements

No special license or certification is required.

### Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

#### Physical Requirements

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 Revised November 1998  
 1993

Revised April 2010

- Ability to operate a variety of automated office machines including computer, printer, calculator and copier.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide and calculate decimals and percentages.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including payroll registers, attendance records, service letters, employment applications, service letters, union change forms, pre-discipline conference notices, personnel actions and other reports and records.
- Ability to comprehend a variety of reference books and manuals including personnel policy manuals.
- Ability to prepare payroll checks, personnel actions, correspondence and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret human resource terminology and language.
- Ability to communicate with supervisor, payroll personnel, other County employees and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Program Officer Manager	<b>Class Number:</b>	1052416
		<b>Pay Grade:</b>	17

<b>Departments:</b>	All departments
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### Classification Function

The purpose of this classification is to manage division of management analysis and planning and to supervise lower-level program officers.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Manages division of management analysis and planning and supervises lower level program officers (e.g.- develops standards of procedures for projects and studies; reviews and approves study timeframes and resource forecasts; reviews study findings; assigns and directs work of program officers; provides instruction and training; responds to employee problems; reviews and approves employee leave requests; evaluates employee performance; recommends the transfer, selection, promotion, discipline or discharge of employees).
- Manages focused studies or projects as part of a centralized County management analysis and planning section (e.g.- manages project through research, analysis, design and development phases; leads team of employees through project; sets and maintains project schedule; forecasts project resource requirements; assigns project tasks to team members and follows up on task completion).
- Develops new operations, systems, policies and/or procedures for existing County programs (e.g.- develops different options for new or revised operations, systems, policies and/or procedures; researches new legislation to address required changes in existing operations, policies and/or procedures; examines alternative options to ensure they address previously identified needs or deficiencies; makes presentations to report findings and make recommendations for new operations, systems, policies and/or procedures; develops plans for implementing the selected course of action including resource and time estimates; implements the proposed plans).
- Researches, analyzes and evaluates existing operations, systems, policies and/or procedures to identify areas for improvement or enhancement (e.g.- researches background information to understand current practices and related issues; researches customer, client or citizen complaints; conducts program needs analysis; compiles results of research data and identifies areas of program inadequacy; researches and conducts surveys to determine best practices).
- Researches, analyzes and evaluates information to determine impact and/or feasibility of proposed changes in program operations, systems, policies and/or procedures (e.g.- analyzes proposed changes under the current conditions and influencing environments to identify impact; evaluates impact of proposed changes to determine feasibility of implementation).
- Performs administrative tasks in connection with above functions and tasks (e.g.- attends meetings and seminars related to program issues; maintains related documentation and records; prepares correspondence and reports).

### **Minimum Training and Experience Required to Perform Essential Job Functions**

Bachelor's degree in business administration or related field with nine years of research and analysis experience; or any equivalent combination of training and experience which provides equivalent knowledge, skills and abilities.

#### **Additional Requirements**

No special license or certification is required.

### **Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**

#### **Physical Requirements**

- Ability to operate a variety of automated office machines including personal computer, printer, calculator, copier, fax machine, typewriter, telephone.

#### **Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.
- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

#### **Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages, apply the principles of descriptive statistics, apply algebraic formulas and interpret inferential statistics.

#### **Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including financial reports, statistical reports, contracts and other reports and records.
- Ability to comprehend a variety of reference books and manuals including purchasing manuals, personnel policy manuals, administrative procedure manuals, and Ohio Revised Code.
- Ability to prepare financial statements and reports, statistical reports, contracts, budgets, budget projections, study reports, correspondence and other job-related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage and supervise other employees, to counsel and advise administrators, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret business, legal and basic accounting terminology and language.
- Ability to communicate with directors, managers, supervisors, other County employees, outside boards, commissions, agencies, and other governments.

#### **Environmental Adaptability**

- Work is typically performed in an office environment.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Risk & Compliance Manager	<b>Class Number:</b>	1055363
		<b>Pay Grade:</b>	15

<b>Departments:</b>	Central Services, only
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### Classification Function

The purpose of this classification is to manage the County's comprehensive risk management program addressing risks and exposures to loss countywide.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Manages the County's risk management program addressing risks and exposures to loss (e.g.- recommends, implements and maintains policies and procedures governing risk management and insurance; identifies, analyzes and controls risks of loss; assists othe departments with matters involving potential risks of loss; implements and supervises investigations of insurance claims; assists developing safety education programs; benchmarks insurance programs; administers and prepares bid specifications or other procurement methods of insurance coverage; recommends preferred bidders; recommends purchases of insurance when indicated; arranges for discusses claims and filing concerns).
- Ensures physical asset protection (e.g.- physically inspects property; determines risks assessments of facilities).
- Supervises lower level employees including senior risk analyst and risk analyst (e.g.- recommends hiring; assigns and reviews completed work assignments; prepares employee performance evaluations; approves employee leave requests and monitors use of leave; recommends discipline and selection).
- Performs related administrative responsibilities (e.g.- approves purchases within budgetary guidelines; responds to written and verbal inquiries and complaints; maintains related records; attends Board of County Commissioners meetings with Director or representative).

### Minimum Training and Experience Required to Perform Essential Job Functions

Juris Doctor and one year of insurance administration/risk management experience. Must be licensed to practice law in the State of Ohio.

#### Additional Requirements

Biennial renewal of license.

### Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

#### Physical Requirements

- Ability to operate a variety of office equipment including personal computer, calculator, copier and telephone.

#### Supervisory Responsibilities

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.

- Ability to recommend the discipline or discharge of other employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages and apply the basic principles of algebra and geometry.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including insurance contracts, insurance policies and reports, insurance laws and legislation, legal opinions, real estate contracts, leasing contracts, union contracts, incident and accident reports and other reports and records.
- Ability to comprehend a variety of reference books and manuals including Ohio Revised Code, building codes, safety regulations, Americans with Disabilities manual, equipment handbooks and operating manuals, and County policies and procedures manuals.
- Ability to prepare real estate contracts, leasing contracts, incident and accident reports, bond indentures, disciplinary reports, building safety reports, correspondence and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to manage, supervise and counsel employees, to convince and influence others, to evaluate employees performances, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret architectural, contractual, legal and insurance terminology and language.
- Ability to communicate with elected officials, administrators, sales representatives, County employees, contractors, state inspectors, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office and shop environment.

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## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Security Camera Coordinator	<b>Class Number:</b>	1024101
<b>FLSA:</b>	Non - Exempt	<b>Pay Grade:</b>	2
<b>Dept:</b>	Fiscal Office		

### Classification Function

The purpose of this classification is to monitor security cameras to oversee the security of office documents and employees.

### Distinguishing Characteristics

This is an entry/journey level, technical classification with responsibility for acting as a member of a survey crew. This classification works under a framework of well-defined procedures and regulations. The incumbent performs assignments designed to develop technical work knowledge and abilities pertaining to the operation of all types of surveying instruments. Limited exercise of judgment is required on details of work and making preliminary selections and adaptations of surveying alternatives.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- 75% +/- 15%
- Monitors DVR cameras of all areas of the office; initiates calls proper authority regarding emergency situations; works with County Security and detectives concerning safety and security issues; checks wave system daily.
- 10% +/- 5%
- Interacts with customers; provides information as needed.
- 10 +/- 5%
- Serves as safety and evacuation coordinator; addresses employee safety or security issues; coordinates lockdown procedures with employees; installs access code for front office.
- 5% +/- 5%
- Conducts yearly inventory; tags equipment for inventory.

### Experience Required to Perform Essential Job Functions

High school diploma or GED with two (2) years of related experience; or any combination of education and experience that provides equivalent knowledge, skills and abilities.

### Additional Requirements

No required licenses.

### Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

#### Physical Requirements

- Ability to operate a variety of office equipment including computers and security monitoring equipment.

**Supervisory Responsibilities**

No supervisory responsibilities.

**Mathematical Ability**

- Ability to understand and apply addition, subtraction, multiplication, and division.

**Language Ability & Interpersonal Communication**

- Ability to perform basic level of data analysis including the ability to review, classify, categorize, prioritize and/or reference data, statutes and/or guidelines and/or group, rank, investigate and problem solve. Requires discretion in determining and referencing such to established standards to recognize interactive effects and relationships.
- Ability to comprehend a variety of informational documents including confidentiality sheets, schedules and inventory documentation.
- Ability to comprehend a variety of reference books and manuals including departmental and County policy manual, reference manuals and standards.
- Ability to prepare inventory report, memos and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to record and deliver information, to explain procedures, to follow instructions.
- Ability to develop and maintain effective working relationships with a variety of individuals within and outside the department.
- Ability to use and interpret general office and security equipment related terminology and language including survey nomenclature, symbols and adjustments.
- Ability to communicate with supervisor, co-workers, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment and in the field.

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# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Senior Family Services Supervisor	<b>Class Number:</b>	1014212
		<b>Pay Grade:</b>	7

**Departments:** Human Services, only

## Classification Function

The purpose of this classification is to supervise lower level family service supervisors and family service aides providing services to individuals in the community in need of social services.

## Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Supervises lower level family service supervisors and family service aides providing services to individuals in the community in need of social services (e.g. - evaluates performance; assigns, plans, coordinates and reviews the duties of family service personnel; recommends and implements disciplinary procedures; provide and plans job instruction and training; assigns case loads).
- Manages a family service unit providing services to individuals in the community in need of social services (e.g.- plans unit operations; devises and recommends policies and procedures; insures policies, procedures and service plans are carried out; monitors random moments forms; assists investigators; monitors state and federal regulations pertaining to program; interacts with officials of other agencies to exchange information concerning family service program).
- Evaluates and determines client need and eligibility for family services (e.g.- reviews the written referral and makes determination based upon established guidelines; assesses household needs for food, furniture, appliances and clothing for welfare clients; provides transportation assistance to obtain items needed; consults with supervisors, clients, social workers, family service aides and officials from other agencies to determine if level of current services is necessary, proper and/or sufficient; refers client to other agencies if necessary; follows up with client to determine if and how well needs were met).
- Prepares and maintains all necessary correspondence, records and forms (e.g.- completes required service and agency forms and statistical reports; draft and prepares correspondence; calculates statistics).

## Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or equivalent and three years of social service including one year of supervisory experience; or any equivalent combination of training and experience.

### Additional Requirements

No special license or certification is required.

## Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

### Physical Requirements

- Ability to operate a variety of automated office machines.

**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees and to maintain standards.
- Ability to provide instruction to other employees and to act on employee problems.
- Ability to recommend the discipline or discharge of employees.
- Ability to recommend the transfer, promotion or salary increase of other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide and calculate decimals and percentages.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including weekly and monthly time sheets, telephone messages, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including state policy manual, personnel policy manual, manager's handbook, etc.
- Ability to prepare performance appraisals, monthly and annual reports, memos, correspondence, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, and to follow instructions.
- Ability to use and interpret social work and counseling terminology and language.
- Ability to communicate effectively with immediate supervisor, subordinates, clients, other department's supervisors, personnel officers, medical personnel, teleprocessing personnel, coworkers, other County employees, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.

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# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Senior Personnel Officer	<b>Class Number:</b>	1053622
		<b>Pay Grade:</b>	8

<b>Departments:</b>	Central Office of Human Resources, only
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## Classification Function

The purpose of this classification is to serve as a lead worker and provide personnel services for County department in the areas of employment, benefits, and classification and compensation.

## Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Functions as a lead worker (e.g.- works proficiently in personnel system and provides system guidance; enters non-routine changes in personnel system as directed by Personnel Administrator; SAP as prepares and corrects position descriptions or job postings).
- Provides personnel services for assigned County department in the area of employment and benefits (e.g.-reviews employment applications for minimum qualifications; verifies references; schedules employment interviews; conducts or witnesses interviews; posts vacancies; prepares personnel requisition forms for vacant positions; contacts recommended applicants with job offer; coordinates completion of employment paperwork by new employee; responds to employment questions from general public and County employees; answers questions regarding benefit enrollment process).
- Provides classification and compensation services for County (e.g.- prepares and corrects position descriptions or job postings as positions become vacant or change; updates organizational chart when needed; coordinates the distribution of performance evaluations; etc.).
- Performs miscellaneous duties (e.g.- calculates payable hours for each employee and charges appropriate hours of leave used during pay period; distributes pay checks on bi-weekly basis; reviews bi-weekly report of leave balances for each employee; monitors overtime expenditures for budgetary availability; coordinates completion of flexible time schedules).

## Minimum Training and Experience Required to Perform Essential Job Functions

Associates degree in business administration or human resources with three years of human resource experience; or any equivalent combination of training and experience.

### Additional Requirements

No special license or certification is required.

## Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

### Physical Requirements

- Ability to operate a variety of automated office machines including personal computer, computer terminal, printer, copier, typewriter, calculator.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide and calculate decimals and percentages.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including payroll reports and records, employment applications personnel action forms, position descriptions, personnel files and other reports and records.
- Ability to comprehend a variety of reference books and manuals including computer manuals, software manuals, Ohio Revised Code and personnel policy manuals.
- Ability to prepare personnel actions, tables of organization, performance evaluations, attendance reports, payroll forms, overtime reports and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to supervise and counsel employees, to convince and influence others, to record and deliver information, to explain procedures, to follow instructions.
- Ability to use and interpret personnel terminology and language.
- Ability to communicate with County employees, general public, Human Resource Director, and other personnel officers.

**Environmental Adaptability**

- Work is typically performed in an office environment.

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## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Senior Risk Analyst	<b>Class Number:</b>	1055362
		<b>Pay Grade:</b>	9

<b>Departments:</b>	Central Services, only
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### Classification Function

The purpose of this classification is to assist coordinating and implementing all aspects of insurance and risk management for the County including interpreting policies, writing policies, assessing and purchasing insurance and bonds, and maintaining statistics and records.

### Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Assists coordinating and implementing all aspects of insurance and risk management for the county including interpreting policies, writing policies, assessing and purchasing insurance and bonds, and maintaining statistics and records (e.g.- conducts thorough investigations of any incidences that may result in asset losses; creates progress reports regarding management issues; recommends policies and procedures to centralize claims; coordinates specifications for insurance and bond programs; coordinates purchases of auto and property insurances through bid procedures and direct purchase; assesses available insurance and recommends whether to purchase additional policies; creates database and maintains statistics for all County claims; negotiates settlement with various personal injurt attorneys and private businesses; recommends settlement of claims when set criteria has been met; pursues collections on losses to the County; implements driver safety checks and driver education programs; reviews property damage reports).
- Functions as lead worker over support staff (e.g.- assigns work and coordinates activities of secretary; provides job training and instruction
- Performs administrative duties (e.g.- assists as client in litigation matters handled by County Prosecutor and attorneys of the County's insurance carriers; creates articles concerning Risk Management; attends various meetings to serve as a resource on claim matters and policy procedures; records and maintains necessary information and files).

### Minimum Training and Experience Required to Perform Essential Job Functions

Bachelor's degree in business administration or related field with three years of insurance administration/ risk management experience; or any equivalent combination of training and experience.

**Additional Requirements**

No special license or certification is required.

**Minimum Physical and Mental Abilities Required to Perform Essential Job Functions**

**Physical requirements**

- Ability to operate a variety of automated office machines including computer terminal, printer, calculator, fax machine, copier, etc.

**Supervisory Responsibilities**

- Ability to assign, review, plan and coordinate the work of other employees.
- Ability to provide instruction to other employees.

**Mathematical Ability**

- Ability to add, subtract, multiply, divide, calculate decimals and percentages, and apply the principles of algebra, descriptive statistics and statistical inference.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including risk assessment reports, insurance policies, insurance forms, bond applications, specifications, legal pleadings, accident reports, repair estimates, specifications, invoices, medical bills and other reports and records.
- Ability to comprehend a variety of reference books and manuals including Ohio Revised Code, FC & S Bulletins, etc.
- Ability to prepare insurance specifications, purchasing requisitions, revenue charge backs, informational articles, letters of denial and acknowledgement, revenue receipts, memos, correspondence, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to convince and influence others, to record and deliver information, to explain procedures, and to follow instructions
- Ability to use and interpret legal and insurance terminology and language.
- Ability to communicate effectively with supervisor, insurance agents, directors, other County employees, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.

Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to qualified individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.

# CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Training Assistant	<b>Class Number:</b>	1053641
		<b>Pay Grade</b>	4

<b>Departments:</b>	Human Services, only
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## Classification Function

The purpose of this classification is to assist in identifying training needs, developing programs and evaluating effectiveness of training programs.

## Essential Job Functions

The following duties are normal for this classification. These are not to be construed as exclusive or all-inclusive. Other duties may be required and assigned.

- Assists in identifying training needs, developing programs and evaluating effectiveness of training programs (e.g.- assists with the identification of training needs through communication with supervisors, conducting surveys and tabulating results; assists with the analysis of training techniques and recommends usage of new training techniques; assists in securing or developing materials and instructional resources for training programs; prepares audio-visual aids, bulletin boards, handouts and displays; arranges lodging and meals for participants; schedules and reserves training facilities).
- Assists with the presentation of training programs (e.g.- delivers employee orientation sessions; presents portion of the training program using audio-visual equipment; distributes training program materials; prepares and reviews training program agendas).
- Performs administrative duties (e.g. - responds to written or verbal inquiries regarding training programs; maintains filing system on training data; compiles statistics regarding training program effectiveness; inventories training supplies and equipment).

## Minimum Training and Experience Required to Perform Essential Job Functions

High school diploma or equivalent with vocational training in business administration and one year of administrative experience; or any equivalent combination of training and experience.

### Additional Requirements

No special license or certification is required.

## Minimum Physical and Mental Abilities Required to Perform Essential Job Functions

### Physical Requirements

- Ability to operate a variety of automated office machines including a typewriter, copier, fax machine and telephone.
- Ability to operate audio visual equipment including a VCR, television, slide projector, film projector and overhead projector.

### Mathematical Ability

- Ability to add, subtract, multiply, divide and calculate decimals and percentages.

**Language Ability & Interpersonal Communication**

- Ability to comprehend a variety of informational documents including memos, training literature, and other reports and records.
- Ability to comprehend a variety of reference books and manuals including policies and procedures, State regulations and training manuals.
- Ability to prepare memos, correspondence, proposals, monthly reports, and other job related documents using prescribed format and conforming to all rules of punctuation, grammar, diction and style.
- Ability to record and deliver information, to explain procedures and to follow instructions.
- Ability to use and interpret human resource development terminology and language.
- Ability to communicate effectively with supervisors, staff, employees, other County employees, and the general public.

**Environmental Adaptability**

- Work is typically performed in an office environment.

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# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0005

Sponsored by: <b>County Executive FitzGerald/Department of Law</b>	<b>An Ordinance</b> amending Section 107.01 of the Cuyahoga County Code to streamline the process for oaths and affirmations, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, it is necessary to amend Section 107.01 of the Cuyahoga County Code to streamline the process for oaths of office and affirmations.

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 the County.

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

**SECTION 1.** Section 107.01(A) of the Cuyahoga County Code is hereby amended and replaced in its entirety to read as follows:

**A. Persons Required to Take an Oath or Affirmation**

- 1. County Officers/Directors/Members of Boards, Commissions, or other Authorities:** Each of the following County Officers, Directors, and Members of Boards, Commissions, or other Authorities of the County shall, before assuming their respective positions take and subscribe to an oath or affirmation, to be filed and kept in the Office of the Clerk of Council:
  - a. The Executive;
  - b. Council Members and Clerk of Council;
  - c. All County Officers under the County Charter;
  - d. All Directors of Departments established by the County Charter or pursuant to the Cuyahoga County Code;
  - e. Members of the Human Resource Commission; Council Districting Commission; and Personnel Review Commission;
  - f. The Internal Auditor;
  - g. The Inspector General; and
  - h. Any person serving in an interim or acting capacity in any of the positions listed in this subsection of the Cuyahoga County Code.

2. **County Employees:** All county employees under the jurisdiction of the County Executive and/or Council commencing their employment on or after February 1, 2014 shall, within 60 days of assuming their employment, take and subscribe to an oath or affirmation, to be filed and kept in their personnel files.

**SECTION 2.** Section 107.01(C) of the Cuyahoga County Code is hereby amended and replaced in its entirety to read as follows:

C. Persons Entitled to Administer the Oath or Affirmation

The oath or affirmation prescribed in Chapter 107 of the Cuyahoga County Code may be administered by the County Executive, a Council Member or the Clerk of Council, a County Officer under the County Charter, the Director of any Department, a Deputy Director of any Department, the Inspector General, a designee of the Director of Law, a designee of the Director of Human Resources, or by any notary public authorized to administer oaths in the State of Ohio.

**SECTION 3.** Section 107.01(D) of the Cuyahoga County Code is hereby repealed.

**SECTION 4.** It is necessary that this Ordinance become immediately effective for the usual daily 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 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 Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee(s) Assigned:

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

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0003

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Procurement &amp; Diversity</b>	<b>An Ordinance</b> amending Cuyahoga County Code Chapter 506: Procurement Card Program Policies and Procedures to approve revised Cuyahoga County Procurement Card Program Policies and Procedures, effective 3/1/2014; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Cuyahoga County Executive/Fiscal Officer/Office of Procurement & Diversity has submitted a revised Procurement Card Program Policies and Procedures, effective 3/1/14; and,

WHEREAS, the Procurement Card Program Policies and Procedures was previously established by the Board of Commissioners in Resolution No. 084247 on October 7, 2008, and revised by Council in Ordinance No. O2012-0006 on March 27, 2012, as codified in Chapter 506 of the Cuyahoga County Code; and,

WHEREAS, the primary goal of the revised Procurement Card Program Policies and Procedures is to enable the use of a County procurement card for purchases and charges currently being made by County credit cards; 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 entity.

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

**SECTION 1.** Chapter 506 of the Cuyahoga County Code is hereby amended to read as follows:

**Chapter 506: Procurement Card Program Policies and Procedures**

**The revised Procurement Card Program Policies and Procedures, attached to Ordinance No. O2014-0003 as Exhibit A, is hereby adopted effective 3/1/2014.**

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council,



## **Cuyahoga County Procurement Card Program Policies and Procedures**

### **Background**

Procurement cards are designed to make purchases in accordance with the Cuyahoga County Code and Cuyahoga County's Procurement Procedures.

The procurement card reduces paperwork and processing time. The program is an alternative payment method; and for small purchases that do not require prior approval, it is an alternative procurement method to the traditional purchasing process. Hence, it can significantly reduce the number of purchase orders and payments processed.

Benefits include an expanded list of merchants from whom purchases can be made, accelerated payment to the vendor, expedited delivery of goods, reduced paperwork, lower overall transaction processing costs per purchase, and the ability to set and control purchasing dollar limits.

### **Authority**

Ohio Revised Code (ORC) Section 301.29 permits counties to use procurement cards. The Office of Procurement & Diversity has formulated the policy for the use of the cards. This policy shall set limits for spending, activity and allowable expenditures as well as administrative controls that the County determines will be sufficient for use of a procurement card. The County Fiscal Officer shall develop internal accounting controls in consultation with the Auditor of State.

### **General Information**

The procurement card program is not intended to avoid or bypass the competitive bid requirements of ORC 307.86 or the Cuyahoga County Code, appropriation of funds process, approval or payment processes. Rather, the program complements the existing processes. A competitive process is encouraged for these types of purchases. Expenditures may not exceed appropriations under current County policy under any circumstances.

The card can be used for in-store purchases as well as mail, e-mail, Internet, telephone in addition, fax orders. It is not an ATM (automated teller machine) card or a debit card. The card is not to be used for personal or non-work-related purchases.

A "cardholder" is an individual who has been approved by an appointing authority to pay for certain work-related expenses with a procurement card. The cardholder is responsible for the security and physical custody of the card, and is accountable for all transactions made with the card. The cardholder must comply with the programs record-keeping requirements (including retention of original receipts) for the protection of both the cardholder and the County. The cardholder is also responsible for timely

reconciliation of the billing statement. Employees have a responsibility to report instances where the County's policies and procedures are not being followed.

The card program carries corporate, not individual, liability. The cardholder's personal credit history is not impacted in any way, and credit checks are not done on individual cardholders. Billings for authorized purchases will be paid with County funds.

## **Policies and Procedures**

### **1. Selection of the procurement card issuer**

The procurement card provider will be selected through the County's Request for Proposal (RFP) process or Request for Qualifications (RFQ) process. As part of the evaluation process, the contractor's ability to support the County in the following areas will be assessed and supported:

- Maximum practical use of the procurement card to make low-dollar value, high-volume purchases of goods and services as well as to pay for travel-related expenses
- Maximum return to the County in the form of a rebate/revenue-sharing awards program
- No cost to County (such as no annual fees, no interest charged on current balances, no fixed fees, transaction fees or late payment charges.)
- Soft dollar savings as a result of increased administrative efficiency and better resource allocation for County staff
- Internet-based/online program administration including workflow processes for card application, approval, suspension and cancellation; maintenance of cardholder profiles; control of approved merchant commodity codes; transaction reporting; account review and reconciliation
- Standard and custom reporting capabilities
- Ability to directly upload transactional data into the County's accounting system
- Ability for the County to pay the card issuer electronically
- Outstanding customer service through a toll-free, 24 hour, 365 day-a-year telephone number
- Recognizable card including County's name, logo and phrase "For Official Use Only – Tax Exempt" printed on the face, and toll-free customer service telephone number printed on the back

The agreement includes fee schedules, processing procedures, and rights and responsibilities of both parties.

### **2. Agencies' policies**

The County requires departments and elected officials to apply for participation in the program with the Office of Procurement & Diversity and receive training for cardholders and agency coordinators in the use of procurement cards and related processes.

### **3. Designation of the program administrator and agency coordinators**

Cuyahoga County designates an employee of the Office of Procurement & Diversity as administrator for the procurement card program. This person will be responsible for administration of the countywide contract and for establishment of the countywide policy adopted through approval /resolution. Specific duties include but are not limited to processing applications, troubleshooting problems encountered with care use or vendor authorization, following up on lost or stolen cards, training of agency coordinators and card users and acting as mail liaison with the procurement card vendor.

In addition, each County agency/department that participates in the procurement card program will name a program coordinator. The agency coordinator will be responsible for processing its' cardholders activity logs, suspensions, and cancellations; resolving disputes with merchants, reviewing and reconciling card activity; and maintaining cardholder profiles.

### **4. Establishment of card limits**

In addition to the Cuyahoga County Code, individual procurement cards are subject to the following maximum limits:

- |   |              |
|---|--------------|
| 1. Daily spending per card:                 | \$ 5,000     |
| 2. Monthly spending per card:               | \$ 10,000    |
| 3. Single transaction limit:                | \$ see below |
| 4. Daily number of transactions per card:   | 10           |
| 5. Monthly number of transactions per card: | 150          |

*Single transaction limit shall be as provided and in accordance with the Cuyahoga County Code. As authorized by the pertinent county contracting authority, the single transaction limit can be exceeded.*

Purchases may not be split to bypass the single transaction limits.

Through the cardholder application process, agencies may also further define limits for specific cardholders, not to exceed the limits established above.

Cuyahoga County shall provide approval of the above card limits and number of cards issued to determine an estimated dollar amount of work-related expenses in accordance with Ohio Revised Code Sections 301.29 (F)(1) or 301.29 (F)(2).

### **5. Designation of allowed/disallowed transactions**

In accordance with the Cuyahoga County Code, the procurement card may be used to purchase and pay for duty-related goods, services, and items specific and coded to the specific agency subject to the limits established above.

The procurement card issuer must maintain an annual record of all transactions that are 1099 reportable. Summarized transactions, including the vendors' tax identification

number, name address and dollar amount paid, must be supplied in a manner acceptable to the County Fiscal Officer's office no later than the second Monday in January of the following year.

ATM, cash advance and all other cash-related transactions are strictly prohibited.

Through the cardholder application process, agencies will define allowed merchant Commodity codes for specific cardholders within the parameters established above.

## **6. Sales and use tax**

Purchases made with the County procurement cards are tax-exempt. The name of the County agency and the words "tax-exempt" will be on each card.

If tax is charged inappropriately, the agency should present a tax exemption certificate to the vendor, and receive a credit for the unnecessary tax.

## **7. Application for procurement card and subsequent profile changes**

Cards will be issued either in the name of the office of the appointing authority or in the designated individual's name, with the appropriate name clearly indicated as the buyer on the card. An individual cardholder must be a current full-time County employee.

The application will specify monetary and transaction limits, as well as approved Merchant commodity codes for the individual cardholder in compliance with sections 4 and 5 above. The agency coordinator will prepare the application, obtain the written approval of the agency's director or top executive and forward it to the program administrator. The program administrator also approves the application and submits it to the card issuer. The issuer assigns a card number and notifies the program administrator who, in turn, notifies the County Fiscal Officer and the agency coordinator.

Once a card has been issued, an agency may later wish to modify the card's limits such as adding approved merchant commodity codes or raising the daily dollar limit within those established in Section 4 above. Any changes or updates to a cardholder's name, job title, address, telephone number, spending limits or merchant commodity codes should be initiated by the agency coordinator and approved by the program administrator, who will take any recommended changes to the appropriate board for approval as required.

## **8. Cardholder acknowledgment and responsibilities**

The cardholder is responsible for the physical custody of card, and for maintaining confidentiality of all information relating to the card such as the account number and expiration date. The card is not to be loaned to anyone or used by anyone other than the person designated to do so.

The cardholder will sign a written acknowledgment indicating that the cardholder understands the intent of the program and agrees to adhere to the policy and guidelines

established by the approving authority. The program administrator will retain the signed acknowledgment, and maintain current record of all cardholders.

## **9. Making purchases; record keeping**

### **a. Contract Encumbrance**

A contract encumbrance will be established in the name of the card issuer based on estimates of approved card use within the monetary and transaction limits established for the card by the County to ensure that expenditures do not exceed available appropriations.

For accounting purposes, a contract encumbrance will be established for each procurement card to ensure that individual charges, reconciliation and payments are prompt and accurate.

### **b. Original receipts**

When making a purchase, the cardholder should obtain and retain the original receipt. The receipt must contain the vendor's name, date of purchase, itemized description of purchase, and per unit price and extended price if applicable. The cardholder will match and attach receipts to billing statements as part of the account reconciliation.

### **c. Internet, telephone and fax purchases**

Procurement cards may be used to purchase goods over the Internet, telephone or fax. The purchases must be evidenced by either the original packing slip that accompanied the purchased goods or an original or faxed itemized receipt.

When using the Internet, the cardholder must make sure the web site where the card information is being placed is secure, and that all account numbers are encrypted while being passed electronically. A cardholder can determine if the web site address is secure in two ways:

1. An Internet web site is secure when the address changes from <http://www> to <https://www>. The "s" stands for secure.
2. A symbol resembling a "lock" will appear at the bottom of the browser. The "lock" symbol signals that the web site is secure and that all card numbers will be encrypted when passed.

Cardholders will be held responsible for all orders placed, even those with vendors that turn out not to be legitimate businesses. The cardholder should inform the vendor that the purchase would be paid through the County procurement card and that the purchase is tax exempt. The cardholder should also ensure that the vendor will comply with the requirements of items c (above), and e and f (below).

### **d. Declined attempts**

The procurement card will be declined if one of the embedded limits is exceeded, if the merchant commodity code is blocked, if the card issuer has a security concern because of the spending pattern, or, sometimes if the “bill to” address does not match the “ship to” address.

**e. Agent, acceptance or service fees**

The County will not pay agent, acceptance or service fees in order to process a procurement card charge. If fees of these types are not disclosed upfront the cardholder shall dispute the fee immediately, regardless of amount.

**f. Vendor invoices**

Vendors should not invoice the cardholder for purchases made with the procurement card. The vendor will be paid by the card issuer, not by the county. However, the cardholder must always receive an itemized receipt or order confirmation.

**g. Purchasing log**

Each cardholder will maintain a purchasing log. The log records the transaction date, vendor name, the merchandise purchased, dollar value of sale, how the order was placed (via Internet, phone, fax, mail or in person) and countywide or individual contract number (if applicable). A separate line is required for each purchase. The receipt for each purchase should be stapled to the log to expedite reconciliation with the billing statement. The log must be reviewed and signed by the agency coordinator or someone designated by the appointing authority. Cardholders cannot review and authorize their own purchasing logs.

**h. Monitoring card activity**

Certain County employees, such as the program administrator, agency coordinators, and County Fiscal Officer staff, will have access to view and monitor card activity. This review can occur at any time.

**i. Inventory**

Any items purchased with procurement cards considered attractive for personal use must be identified and inventoried in accordance with Ohio Revised Code Section 305.18 and County policy as applicable.

## **10. Account reconciliation and payment of procurement card billing**

The program administrator will receive a comprehensive statement identifying all transactions made during the billing cycle. The cardholder and their agency coordinators will reconcile the statement's accuracy against the purchasing log and receipts and forward to the program administrator. Next, the program administrator and agency coordinators will communicate on a regularly scheduled basis to reconcile the comprehensive statement prior to making payment to the card issuer. Payment cannot be made until the cardholder confirms receipt of the goods and services. A quote or backorder notice is not substantive evidence of the occurrence of the transaction.

The agency coordinator is responsible for reviewing the log for the appropriateness of purchases made with the card and for approving the statement for each cardholder under their supervision. The approval must be evidenced by the agency coordinator's signature. Once all charges are approved for payment, the program administrator must submit the original comprehensive statement, purchasing log and supporting receipts to the County Fiscal Officer, who will issue payment to the card issuer by warrant.

## **11. Returns, credits and dispute resolution**

Problems associated with procurement card purchases may include broken merchandise, a billed amount which does not match the quote, a billed amount that includes sales tax, the statement contains a charge not recognized by the cardholder, or the statement contains duplicate charges from a vendor. In these instances, the cardholder should try to resolve the dispute with the supplier or merchant. If the purchased item needs to be returned for any reason, a credit to the procurement card account should be requested. The cardholder shall notify the agency coordinator so they can verify that the credit appears on a subsequent statement. The cardholder cannot accept cash or a rain check instead of a vendor credit.

If the dispute cannot be resolved, the cardholder should contact the program administrator.

## **12. Late fees or finance charges**

No late fees or finance charges shall be paid by the County under terms of the procurement card program.

## **13. Lost or stolen cards**

If the card is lost or stolen, the cardholder must notify the card issuer immediately. Upon receipt of the phone call, further use of the card will be blocked. Prompt action will reduce the liability for fraudulent charges. The cardholder must confirm the phone call by written notification to the card issuer via mail or fax, with copies to the program administrator, the agency coordinator and the County Fiscal Officer. The date and time of the phone report of the lost or stolen card should be included in the written notification. The program administrator will initiate issuance of a replacement card.

#### **14. Suspension or cancellation of card**

The agency coordinator will initiate suspension or cancellation of the card, and will notify the program administrator and the County Fiscal Officer that such action has been requested. Cardholders who terminate their employment or whose job duties change and no longer include purchasing must surrender the card immediately. The agency coordinator will cut canceled cards in half. Cardholders on extended leave or reassignment may have their card suspended or revoked. Intentional use of the card for personal purchases or for purchases made in violation of County policy will result in card cancellation.

#### **15. Penalties for improper use of card**

The card is to be used only by the cardholder to pay for authorized, work-related expenses. The cardholder is not allowed to lend the card to someone else. The card may not be used to pay for personal transactions. Improper use of the card can be considered misappropriation of County funds and may result in disciplinary action up to and including termination of employment. Improper use can result in revoking the card. In addition, the cardholder is personally liable for payment of improper purchases, including those in excess of dollar amounts appropriated or authorized by the County and subject to criminal prosecution under terms of Ohio Revised Code 309.29 (G)(4). Misuse of a procurement card is a violation of law for purposes of Section 2913.21 of the Ohio Revised Code.

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0002

Sponsored by: <b>County Executive FitzGerald/Office of Procurement &amp; Diversity</b>	<b>An Ordinance</b> amending Cuyahoga County Code Chapter 503: Small Business Enterprise Program Policies and Procedures to approve revised Cuyahoga County Small Business Enterprise Program Policies and Procedures, effective 2/15/2014; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Cuyahoga County Executive/Office of Procurement & Diversity has submitted a revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual, effective 2/15/14; and,

WHEREAS, the Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual was previously adopted by Council in Ordinance No. O2011-0054, as codified in Chapter 503 of the Cuyahoga County Code; and,

WHEREAS, the primary goal of the revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures is to ensure that, if the SBE Grievance Hearing Board has granted a waiver to a business with securities held in trust, the waiver is to continue in effect upon recertification provided that the ownership structure of the business remains unchanged; 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 entity.

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

**SECTION 1.** Chapter 503 of the Cuyahoga County Code is hereby amended to read as follows:

**Section 503.01 Policies and Procedures Manual**

The revised Cuyahoga County Small Business Enterprise (SBE) Program Policies and Procedures Manual, attached to Ordinance No. O2014-0002 as Exhibit A, is hereby adopted effective 2/15/2014.

**SECTION 2.** It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health,





## COUNTY OF CUYAHOGA, OHIO

# SMALL BUSINESS ENTERPRISE PROGRAM POLICIES AND PROCEDURES

Revised effective February 15, 2014

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## I. INTRODUCTION

Policy Statement: It is the policy of the Cuyahoga County to develop a strategic plan and establish administrative rules and procedures to insure that all businesses participate fully and fairly in Cuyahoga County's procurement and contract awards. In an effort to ameliorate the effects of past and present arbitrary barriers that Small Business Enterprises (SBEs) have in contracting with Cuyahoga County, Cuyahoga County hereby adopts this Small Business Enterprise (SBE) Program.

Promotion of Equal Opportunity: No person shall be denied the benefit of, or otherwise discriminated against, on the basis of race, creed, color, national origin, handicap, sex, age, marital status, or sexual orientation in connection with the award performance, and/or modification of a contract between a vendor or contractor and Cuyahoga County where said contract is paid for, in whole or in part, with monetary appropriations by Cuyahoga County.

Program Objectives: Accordingly, the objective of this SBE Program is to promote and encourage full and open competition in the procurement of goods and services by Cuyahoga County; encourage all Cuyahoga County personnel involved with procurement and contracting activities to maintain good faith efforts and appropriate purchasing procedures; to protect Cuyahoga County from becoming a passive participant in any unlawful discrimination; and to otherwise spur economic development in the public and private sectors of the Cuyahoga County economy.

## II. PROGRAM SCOPE AND APPLICABILITY

The following categories provide an overview and summary of the nature and types of Cuyahoga County purchasing and contracting:

Category A – Construction, Architectural and Engineering: Includes any and all contracting relating to buildings, facilities and other erected structures on real estate of Cuyahoga County such as architectural engineering, new construction, rehabilitation, remodeling and repairs.

Category B - Commodities: Includes the purchase of all goods, equipment, food, office and other supplies, art, furniture, textbooks and other materials for education, and other tangible personal property not associated with the services identified in Categories A, B or C.

Category C - Professional Services: Includes the purchase of any or all services for which applicable selection criteria may require a Participant to possess a license or other certificate of competency such as accounting, auditing, landscape architecture, engineering, insurance, laboratory, legal, lifeguard, medical, dental, nursing, and student transportation.

Category D – Business Services: Includes the procurement of advertising, printing, non-construction repairs, janitorial services, training seminars and workshops, computer and information systems, security, shipping and mailing, microfiche and microfilm, courier, storage, travel, consulting, retail and other non-professional services.

### III. THE OFFICE OF PROCUREMENT & DIVERSITY

The Office of Procurement and Diversity (OPD) develops, administers and enforces the SBE Program. OPD shall encourage equal business opportunities and achieve the policies and objectives of the SBE Program by:

- (1) Administering and enforcing Cuyahoga County policies;
- (2) Establishing written rules, regulations and procedures consistent with this SBE Program;
- (3) Publishing and making public said rules, regulations and procedures;
- (4) Maintaining outreach and assistance programs to promote equal contracting opportunities for SBEs that wish to contract with the Cuyahoga County;
- (5) Establishing, enhancing and maintaining relationships with agencies and stakeholders in the area;
- (6) Maintaining a current database of available SBEs and making this database accessible to interested parties;
- (7) Monitoring and collecting data and informational on the utilization of SBEs in Cuyahoga County's procurement activities;
- (8) Establishing and assessing the reasonableness of SBE participation goals for Cuyahoga County procurements;
- (9) Attending pre-bid/proposal conferences for all contract solicitations by Cuyahoga County;
- (10) Attending kick-off meetings for major projects;
- (11) Participating on evaluation panels for request for proposals and requests for qualifications;
- (12) Investigating written complaints related to the SBE Program;
- (13) Mediating payment disputes between prime contractors and SBE sub-contractors
- (14) Notifying affected parties in writing as to the right to review and appeal an adverse decision by OPD;
- (15) Monitoring Cuyahoga County's purchasing activities and determining compliance with SBE Program policies and procedures;
- (16) Preparing annual reports on the SBE Program;

- (17) Reviewing and determining whether a contractor or vendor has failed to implement its contractual agreements and commitments regarding this policy;
- (18) Developing and revising SBE Program policies and procedures to implement current best practices and maintaining records of SBE Program activities; and
- (19) Performing other tasks as may be required to fulfill the above-stated duties of OPD.

Authority to Investigate Discriminatory Practices: Should a Participant submit a written complaint of discrimination, OPD shall be authorized to submit the complaint for investigation to the pertinent county authority including but not limited to the County Executive, County Council, and the Inspector General or his/her designee. Further, such investigations may be initiated when OPD receives information, which provides a reasonable basis to believe that an individual contractor seeking to contract or contracting with Cuyahoga County may be engaging in public or private discriminatory conduct.

## IV. CERTIFICATION

Certification: Certification is the process that ensures that a particular business may become a part of a pool of vendors identified for the purpose of increasing opportunities with respect to contracts awarded by Cuyahoga County.

All firms submitting applications for SBE consideration must be certified prior to submission of bid.

Applications for certification will be on standard forms provided by the SBE Program and will include, but will not be limited to, primary business location, evidence of ownership, control, operation, and experience. The application shall be in the form of an affidavit and shall be signed by the applicant; such signature to be notarized by an officer duly authorized to notarize signatures. All certified SBE firms will be required to update their listing continually including changes of addresses, telephone numbers and changes of ownership, control and operation.

The Director of Procurement & Diversity shall grant certification of an approved SBE for a period of one (1) year. The Director may grant a provisional SBE certification prior to specific bids or proposals. All companies must recertify their business on an annual basis on the anniversary of their certification. **Should provisional certification be granted to a business and be awarded a prime contract and the provisional certification is later rescinded, that business is obligated to meet the SBE participation percentage goal of the original proposal or specifications.**

If an SBE is denied certification on the basis of information submitted, the company cannot reapply for certification for a period of one (1) year from the date of the notice or denial, provided that such company shall have the right to appeal such denial and to be certified if such appeal is decided in its favor as provided herein. Certification records will be maintained by OPD for a period of five (5) years.

## V. ELIGIBILITY STANDARDS FOR SBE CERTIFICATION

The following standards will be used to determine whether a firm is eligible to be certified as a Small Business Enterprise:

1. To become eligible for the SBE Program a Small Business Enterprise firm must demonstrate that it has been in continuous operation in the category or the related category for which it is requesting certification for one year, that majority ownership has at least one (1) year of work experience relevant to the business' certification category, that its annual gross revenues or its' total workforce are at or less than the amounts established by the Small Business Administration.
2. A business applying for certification as a SBE must establish that it has a physical presence located within the geographical limits of Cuyahoga County. Mailbox facilities or other similar arrangements alone do not constitute a physical presence.
3. SBE ownership and control shall be real, substantial and continuing and shall go beyond the "pro forma" ownership as reflected in the ownership document. The SBE owners shall share in the risks and profits commensurate with their ownership interest as demonstrated by an examination of the substance rather than form of arrangements.
4. SBE owners shall possess the power to direct or cause the direction of the management and policies of the firm and to make the day-to-day as well as major decisions on matters of management, policy, and operation. The firm shall not be subject to any formal or informal restrictions that limit the customary discretion of the SBE owners. There shall be no restrictions through, for example, by-law provisions, partnerships, arrangements or charter requirements for cumulative voting rights or otherwise that prevent the SBE owners, without the cooperating or vote of any owner who is not listed, from making a business decision of the firm.
5. Where the actual management of the firm is contracted out to individuals other than the owner, those persons who have the ultimate power to hire and fire managers can, for the purpose of this part, be deemed to be controlling the business.
6. All securities that constitute ownership and/or control of a corporation shall be held directly by the owners. No securities held in trust, or by any guardian for a minor, shall be considered as held by an owner in determining the ownership or control of a corporation. If a business denied certification due to securities held in trust appeals to and is granted a waiver of this eligibility requirement by the SBE Grievance Hearing Board, then the waiver granted by the SBE Grievance Hearing Board shall remain in effect for that business provided that the ownership structure remains unchanged.
7. The contribution of capital or expertise by the owners to acquire their interest in the firm shall be real and substantial. Examples of insufficient contributions include a promise to contribute capital, a note payable to firm, or the mere participation as an employee, rather than as a manager.
8. In addition to the above standards, the SBE Program shall give special consideration to the following circumstances in determining eligibility for certification:

- a. Newly formed firms and firms whose ownership and/or control has changed since the date of the advertisement of the contract are closely scrutinized to determine the reasons for the timing of the formation of or change in the firm.
- b. A previous and/or continuing employer-employee relationship between or among present owners is carefully reviewed to ensure that the employee-owner has management responsibilities and capabilities discussed in this section.
- c. Any relationship between a Small Business Enterprise and a business which is not a Small Business Enterprise, which has an interest in the Small Business Enterprise is carefully reviewed to determine if the interest of the non-Small Business Enterprise conflicts with the ownership and control requirements of this section.

## VI. OPERATIONAL CONTROL

OPD shall review the extent of “operational” control. The primary consideration in determining operational control and the extent to which the applicant actually operates the business will rest upon the peculiarities in the industry of which the business is a part. For example, for small contractors, it is reasonable to expect the applicant to be knowledgeable of all aspects of the business. This may not apply to large contractors who have the assets and personnel to specialize. Accordingly, in order to clarify the level of operational involvement, which an applicant must have in a business for it to be considered eligible, the following criteria are put forth, but are not intended to be all inclusive.

1. The applicant should have some experience in the industry for which certification is being sought.
2. The applicant should show that basic decisions pertaining to the daily operations of business can be independently made. This means the applicant must possess the knowledge to weigh all advice given and to make an independent determination.
3. The applicant should have some technical competence in the industry in which certification is being sought. Technical competence in this sense does not mean expert knowledge. It does mean the applicant should have a working knowledge of the technical requirements of the business needed to operate in the industry.

## VII. MANAGERIAL CONTROL

OPD shall review the extent of “managerial” control. Managerial control means that the applicant has the demonstrable ability to make independent and unilateral business decisions needed to guide the future of the business. Managerial control may be demonstrated in many

ways. For an applicant to demonstrate managerial control, the following criteria are put forth, but are not intended to be all-inclusive:

1. Articles of incorporation, corporate bylaws and partnership agreements or other agreements shall be free of restrictive language, which would dilute the applicant's control, thereby preventing the applicant from making those decisions, which affect the future of the business.
2. The applicant shall be able to show clearly through production of documents the areas of applicant control, such as, but not limited to:
  - a) Authority and responsibility to initiate and sign checks, letters of credit, and loan agreements.
  - b) Authority to negotiate and signature authority for insurance and/or bonds;
  - c) Authority to negotiate for banking services.
3. Agreements for support services that do not lessen the applicant's control of the company are permitted as long as the applicant's power to manage the company is not restricted or impaired.

## VIII. THE PURPOSE AND USE OF GOALS

Definition and Purpose: Cuyahoga County maintains a compelling interest in providing equal business opportunities for all persons wishing to do business with it. Therefore, OPD will continue to encourage, monitor, and track SBE participation in the procurement process through SBE Participation Goals. Goals are not quotas, but rather a method enabling Cuyahoga County to encourage and promote inclusion of SBEs in the procurement process.

Procedure for Establishing Overall Goals: Cuyahoga County has established an overall thirty percent (30%) subcontracting goal for SBE Participation in county procurements. If desired, Cuyahoga County may establish a revised overall SBE Participation Goal for Cuyahoga County. To establish a revised SBE overall goal, Cuyahoga County shall conduct an analysis of SBE participation in county purchasing activities. First, Cuyahoga County shall evaluate the levels of SBE participation for the Cuyahoga County overall procurement program for the previous year. As part of the review, Cuyahoga County may also consider data regarding SBE participation for the past three (3) fiscal years for a more accurate portrayal of SBE participation. Secondly, OPD shall review available SBE totals and percentages for the Cuyahoga County area. Based on the data, OPD shall make a recommendation for a revised overall SBE Participation Goal for review and approval by the County Executive and County Council.

Procedure for Establishing Individual Goals: To achieve the overall goal for SBE participation, the Director of OPD will establish SBE goals on a contract by contract basis based on an analysis of market availability and a commercially useful function within the contract. The Director of OPD may also waive the SBE goals for particular procurements.

Cuyahoga County will use the following criteria to determine the types of participation toward Cuyahoga County's overall annual SBE goal:

- 1) The total dollar value of the subcontract may be counted toward determining the specified goal. This includes the fees and commissions charged for professional services, legal counsel, manufacturers, financial consultants, and insurance agents.
- 2) Contract goals will be used to meet any portion of the annual goal. Contract goals are established so that, over the period to which the goal applies, they will cumulatively result in meeting any portion of the goal projected to be met through the use of race-neutral means.

Contract goals will only be established on those contracts that have subcontracting opportunities for SBE participation. The size of contract goals will be adapted to the circumstances of each contract (e.g., type and location of work, availability of SBEs to perform the particular type of work) and functionality within the contract.

SBE Participation in Meeting Goals: All Participants, including SBE Participants, shall make good faith efforts to attain goals through all subcontractor work.

- (1) Prime Contractors: A Prime Contractor should subcontract portions of its contract consistent with industry standards. However, all SBE subcontractors must perform a commercially useful function as defined herein. Only such participation by an SBE will be counted towards any goal.
- (2) Subcontractor Participation: Where a Prime utilizes one or more subcontractors or 2<sup>nd</sup> tier subcontractors to attain an SBE goal, the Participant may only count said SBE subcontractor or sub-subcontractor work toward goals. In no way shall subcontractors' or sub-subcontractors' work or dollar amount be construed to count toward said goal more than once. Only expenditures to SBE subcontractors that perform a commercially useful function in the work of that project or contract will be counted.
- (3) Supplier Participation: Where a Participant utilizes suppliers or distributors to satisfy the goal(s) in whole or in part, the SBE suppliers must perform a commercially useful function. Supplier participation may be approved upon review of the following factors:
  - i) The nature and amount of supplies to be furnished;
  - ii) Whether the SBE is a manufacturer, wholesaler or distributor of the supplies and has the capabilities to deliver same in accordance with its certification;
  - iii) Whether the SBE actually performs, manages and supervises the work to furnish the supplies; and
  - iv) Whether the SBE intends to purchase supplies from a non-SBE and simply resell same to the general or prime contractor for allowing those supplies to be counted towards fulfillment of the goal(s). Participants will receive no credit for the dollar amount of the supply contracted from brokers.

## IX. EXCLUSIONS AND WAIVER OF NON-COMPLIANCE WITH SBE GOAL

1. Exclusions: This Small Business Enterprise policy shall not apply to the following:
  - a) “Sole Source” procurements under the Cuyahoga County ordinances which by their very nature limit the source of supply to one vendor.
  - b) County purchases from political subdivisions/government entities;
  - c) County purchases off state contracts, off federal contracts, and from joint purchasing programs.
  - d) The acquisition of any interest in real property including lease holdings.
  - e) Direct and indirect employee payments including payroll expenditures, pensions and unemployment compensation and other employee-related expenditures;
  - f) Any other categories and subcategories of goods and services Cuyahoga County may from time to time establish as excluded contracts upon recommendation of the Director of the Ohio of Procurement & Diversity and approval by the Cuyahoga County Executive and Cuyahoga County Council.
  
2. Application for Waiver. If the Contractor, consultant, supplier or vendor does not meet the project goal, the bidder or offer or may seek a partial or total waiver of the project goal. The application for waiver of all or part of the project goal shall include full documentary evidence of the Participant’s good faith efforts to meet the project goal and why the request for waiver should be granted. The application shall be notarized and submitted as a part of the bid or offer. Additional explanation, affidavits, exhibits or other materials may be required by the SBE Program to substantiate good faith efforts. (See the Good Faith Effort Certification, SBE-3, 2 pages, in the attached Bidder’s Manual). Waivers may also be granted for an acceptable explanation as to why the goals should be waived.
  
3. Waiver for Detriment to Public Health, Safety or Financial Welfare. The SBE Program goal may be waived if the same causes a detriment to public health, safety or the financial welfare of the County. The SBE Program goal may also be waived in the event available SBEs provide price quotes which are unreasonably high in that they exceed competitive levels beyond amounts which can be attributed to cost, overhead and profit.

## X. REQUIREMENTS OF PRIME CONTRACTORS

In consideration of the right and privilege to submit a bid or proposal on construction projects and other contracts with Cuyahoga County, at the time of submitting a proposal or bid, each participant shall be required to present appropriate documentation. The documents described below must be completed and signed by each Participant before a proposal or bid can be considered responsive:

- 1) Covenant of Non-Discrimination: Each Participant must submit a duly executed and attested Covenant of Non-Discrimination (SBE-1, found in the attached Bidder's Manual). This written instrument shall contain promises, declarations and/or affirmations made by the Participant. The completed document must contain an original signature and date of signature.
- 2) SBE Subcontractor Participation Plan: Each Participant must submit a duly executed Subcontractor Participation Plan (SBE-2, found in the attached Bidder's Manual) for each SBE subcontractor proposed. Copies and/or facsimiles of SBE-2 submitted with bids/proposals are acceptable BUT all required signatures must be dated as indicated. Also, please note the following:
  - a) Certified SBEs who are bidding as prime contractors **MUST** complete and submit the top portion of Form SBE-2 to guarantee the 20% SBE credit.
  - b) SBEs with multiple geographical locations shall enter the Cuyahoga County address and contact information on Form SBE-2.
  - c) Prime vendors are **PROHIBITED** from using SBE(s) with whom the prime vendor has a familial relationship, joint or co-ownership, common partners, officers, or a shareholder relationship to meet the SBE Participation Goal. Hence, on Cuyahoga County projects/contracts, any portion of work subcontracted to a SBE vendor by a prime vendor that meets the above-mentioned criteria will **NOT** count towards the achievement of the established SBE Participation Goal.

Use of 2<sup>nd</sup> Tier Subcontractors: In the event that a subcontractor portions out work and utilizes the services of a sub-subcontractor or vendor, the prime contractor shall be required to report this use to OPD. For reporting purposes, the prime contractor shall report statistical data for the sub-subcontractor or sub-vendor, including race, gender, business size, area of specialization, dollar value, description of services or products purchased, and contact information. No SBE subcontractor will be permitted to subcontract more than 25% of their subcontract work (based on dollar value) without prior approval by OPD.

Other Information and Data: OPD may request additional information and data prior to a contract award. This information may include, but is not limited to, information regarding business ownership of all subcontractors to be utilized on the project, all of which shall reflect the race, gender, location, size, and area of specialization and structure of the identified businesses.

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**A PARTICIPANT'S FAILURE OR REFUSAL TO PROVIDE INFORMATION AND DATA REQUIRED BY THIS PROGRAM AND REQUESTED BY OPD SHALL SUBJECT THE PARTICIPANT TO HAVING A PROPOSAL OR BID DEEMED NON-RESPONSIVE.**

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## XI. GOOD FAITH EFFORTS

Aggressive “Good Faith Efforts” to include SBEs in the procurement process are required of all Participants. These Good Faith Efforts should be in addition to the Participant’s regular and customary solicitation process of contact with potential subcontractors and/or vendors.

Written Notice to SBEs: To demonstrate good faith efforts, a Participant shall deliver written or electronic notice to potential, SBEs. SBEs should be contacted not less than one (1) week before the bid or proposal due date. Names, addresses, and telephone numbers for available SBEs may be obtained by contacting OPD or reviewing the database on the website at <http://opd.cuyahogacounty.us/>.

The written or electronic notice sent to potential subcontractors or vendors shall contain the following:

- (1) Sufficient information about the plans, specifications, and relevant terms and conditions of the solicitation. This should include information about the work which will be subcontracted or the goods which will be obtained from subcontractors and suppliers;
- (2) A contact person knowledgeable of the project scope documents, within the Participant’s office, to answer questions about the conditions of the contract;
- (3) Information as to the Participant’s bonding requirements; and
- (4) The deadline for price quotations.

Evaluation of Good Faith Efforts: In evaluating good faith efforts, OPD will determine whether the Participant has made reasonable good faith efforts to obtain SBE participation as part of its bid or proposal. OPD may evaluate not only the different kinds of efforts made by a Participant, but also the quantity and intensity of those efforts.

OPD will consider a completed Good Faith Effort Certification (SBE-3, 2 pages, found in the attached Bidder’s Manual), as evidence of a Participant’s good faith in trying to obtain SBE participation in a bid or proposal.

Required Documentation: To demonstrate good faith efforts, Participants shall keep detailed records of all correspondence and responses thereto, logs of all telephone calls made and received regarding the project or contract, confirmation receipts for fax transmissions, receipts from registered or certified mail, copies of advertisements in publications and other media, and other relevant papers required by this Program.

Good Faith Effort Certification: Participant must submit a completed Good Faith Certification (SBE-3, found in the attached Bidder’s Manual) ONLY if the SBE Participation Goal is not met. Additional documentation demonstrating a good faith effort must accompany the checklist. The completed document must contain an original signature, notarizations, and date of signature.

## XII. AWARD OF CONTRACTS

Award of Contract: Proposals/ bids may be rejected and projects re-submitted for the sole purpose of attaining goals where no “good faith effort” has been demonstrated. Cuyahoga County reserves the right to determine the action to be taken on the contract if a goal is not met, including rejecting any or all bids or proposals. If an awarded contract is later amended for additional dollars, SBE subcontractor participation should still reflect the percentage of dollars originally contracted for.

When evaluating a bid to determine the lowest and best bid, the County may consider, in addition to all of the other factors set forth in the instructions to bidders, whether a bid is SBE compliant; provided, however, that such SBE compliance shall not be considered if the difference between the SBE-compliant bid and the lowest responsive bid is more than the price preference specified below.

Lowest Bid Received Range (\$)	Price Preference (%) & Limit	Price Preference (\$)
0 – 500,000	10%	0 – 50,000
500,001 – 1,000,000	10% up to max \$80,000 (10-8)	50,000 – 80,000
1,000,001 – 3,000,000	8% up to max \$210,000 (8-7)	80,000 – 210,000
3,000,001 – 5,000,000	7% up to max \$250,000 (7-5)	210,000 – 250,000
>5,000,000	\$250,000 maximum (≤5)	250,000 maximum

## XIII. MONITORING AND POST-AWARD REPORTING

Office of Procurement and Diversity Authorization to Monitor: OPD shall be authorized to collect from all Participants such data and information as is necessary to monitor this Program. This information may include information as to business ownership, supplier information, subcontractor information, all of which shall reflect the contract information, race, gender, business location, and size of the identified businesses.

OPD shall continuously monitor the participation of SBEs in the procurement of goods and services for Cuyahoga County. Such monitoring shall include, but is not necessarily limited to, a statistical analysis of each construction trade, business service, professional service and commodity to determine whether there is utilization of SBEs in a manner that is proportionate to the established goal.

OPD will provide written reports on an annual basis. OPD’s report shall contain a summary of the purchases and contracts placed with SBEs for the period and the relative percentage to the

total of purchases and contracts for that period and the size, quantity and quality of SBE involvement by dollar volume.

Participant's Post-Award Reporting: Participants who are awarded contracts must submit reports, during the course of, and at the end of the contract as requested by OPD. These reports shall summarize the number and dollar amounts of payments made during the term of the contract to subcontractors. The final report shall summarize the number and dollar amounts of payments made during the term of the contract to all subcontractors and shall reflect the SBE designation of the subcontractor if any. OPD reserves the right to audit a contract for SBE participation at his/her discretion during any phase of the project. An audit would include but not be limited to: on site reviews, desk reviews, requests for cancelled checks, requests for invoices, certified payroll reports, etc.

SBE Subcontractor Substitutions or Replacements: The prime contractor shall report any replacements or substitutions of the use of SBE subcontractors to OPD immediately. Prior approval by the Director of OPD is required for SBE substitutions/replacements. For reporting purposes, the prime contractor shall report to OPD statistical data pertaining to the new subcontractor, including race, gender, business size, area of specialization, and contact information on the SBE Subcontractor Participation Plan form (SBE-2).

OPD will require a Participant to make good faith efforts to replace a SBE that is terminated or has otherwise failed to complete its work on a contract with another SBE to the extent needed to meet the contract SBE Participation Goal. The Participant must notify OPD immediately, and in writing, of the SBE's inability or unwillingness to perform and provide reasonable documentation. The request should include at a minimum: the name of the SBE firm, the contact, the phone number, the scope of work initially assigned to the SBE firm, dollars paid to date, percent of scope completed, and the reason for the substitution request including documentation of the SBE's withdrawal.

The Participant will be given five (5) business days to find a SBE substitution if the request is granted. In this situation, the Participant will be required to obtain prior approval of the substitute SBE and to provide copies of SBE Subcontractor Participation Plan (SBE-2) or documentation of good faith efforts.

If the Participant fails or refuses to comply in the time specified, OPD may issue a recommendation to stop all or part of payment and/or work until satisfactory action has been taken. If the Participant still fails to comply, OPD may issue a recommendation of termination of the contract.

Contractors' Closeout Activity Reports: To further monitor SBE participation, closeout activity reports will be required from project prime contractors and prime consultants identifying activities of all subcontractors and sub-consultants. This report shall include all modifications/amendments/change orders and shall reflect the contact information, race, gender, business size, scope of work, and amount paid to each firm.

## XIV. GRIEVANCE PROCESS

Any Participant or other party allegedly aggrieved by the provisions of this program may submit a written complaint to OPD who will notify the SBE Grievance Hearing Board. The SBE Grievance Hearing Board is empowered to hear all grievances concerning certification, de-certification, goal complaints, good faith efforts and any other grievances called by the provisions of this program.

SBE Grievance Hearing Board: The SBE Grievance Hearing Board consist of the following five (5) members:

- Deputy Chief of Staff, Development or his/her designee
- Director of Public Works or his/her designee
- Deputy Chief of Staff, Justice or his/.her designee
- Two (2) County Council Members appointed by the President of County Council

The SBE Grievance Hearing Board meets as required to hear grievances pertaining to the SBE Program. A meeting quorum of this board consists of four (4) members. An affirmative vote by at least three (3) members is required for action items.

Request for Review: An allegedly aggrieved party may seek review of an OPD determination or decision by filing a written Request for Review with OPD within five (5) days of receipt of the Determination of Non-Compliance, certification denial, recertification denial, or other SBE decision.

Scheduling the Hearing/Notice of Hearing: Upon receipt of the request for review from the allegedly aggrieved party, OPD shall forward the request for review to the SBE Grievance Hearing Board within three (3) business days of receipt and proceed with scheduling the hearing. Every effort shall be made to hold the hearing no more than twenty (20) days from the date of receipt of the request for review. All external parties shall be sent a written notice by registered mail which shall state the date, time, and place of the hearing.

Hearing: The hearings shall be informal. Participants shall include OPD and the allegedly aggrieved person(s), or a representative of the allegedly aggrieved person. Said hearing shall comply with State of Ohio law relative to the Open Meetings Act.

Decision: The SBE Grievance Hearing Board shall issue a decision at the conclusion of the hearing which may approve or disapprove of OPD's decision or determination.

Exhaustion of Legal Remedies: An aggrieved person or entity must comply with the review process as outlined herein. Once a person or entity has exhausted the administrative remedies outlined in the Program, that person or entity may seek any other statutory, legal or equitable remedies that may be available. Failure to exhaust all administrative remedies listed above is an affirmative defense to any statutory, legal or equitable proceeding that may arise.

## XV. SANCTIONS AND PENALTIES FOR NON-COMPLIANCE

Cuyahoga County shall have the authority and power to enforce the provisions of this Program. Failure of a participant to comply with the requirements shall subject it to administrative sanctions. In addition, a violation of this Program shall constitute a material breach of contract enforceable at law or in equity, as will all other contract provisions, including the imposition of penalties. The following sanctions and penalties are established for the enforcement of this Program:

- (1) Determination of Non-Responsiveness: In addition to standard factors in its evaluation, Cuyahoga County may declare a bid or proposal non-responsive where it is determined that a Participant has not filed with Cuyahoga County a duly executed Covenant of Non-Discrimination or any other document as required by this Program.
- (2) Limited Suspension: For falsifications, misrepresentations, deception to obtain a contract, Cuyahoga County may remove a Participant from its list of eligible firms entitled to do business with Cuyahoga County.
- (3) Rejection of Future Proposals: Cuyahoga County may reject any or all future Proposals of a Participant until such time as the Participant demonstrates that it is or shall come into compliance.
- (4) Withholding Payment: Cuyahoga County may withhold payment, until such time as the Participant demonstrates that it is or shall come into compliance.
- (5) Cancellation of Contract: Cuyahoga County may declare a contract null and void where, after such contract has been awarded, an investigation determines that the Participant's documents contain false, fictitious, or fraudulent information.
- (6) Permanent Debarment: For repeated violations, Cuyahoga County may remove a Participant from its list of firms entitled to do business with Cuyahoga County indefinitely.

Guidelines for Imposition of Sanctions: The authority and power for imposition of sanctions and penalties shall lie with county authorities and elected/appointed officials as outlined in the County Charter, County Ordinances, state laws, and federal laws. The recommendation however, may come from the SBE Grievance Hearing Board or OPD.

- (1) General: Sanctions may be recommended if there is evidence of specific conduct on the part of the Participant that is inconsistent with or in direct opposition to the applicable provisions of this Program. Furthermore, the imposition and enforcement of sanctions shall be consistent with applicable county ordinances, state laws, and federal laws.
- (2) Severity of Sanctions: In determining the length of any suspension, Cuyahoga County shall consider the following factors:

- (i) Whether the failure to comply with applicable requirements involved intentional conduct or, alternatively, may be reasonably concluded to have resulted from a misunderstanding on the part of the Participant of the duties imposed on them by this Program;
  - (ii) The number of specific incidences of failure by the Participant to comply;
  - (iii) Whether the Participant has been previously suspended;
  - (iv) Whether the Participant has failed or refused to provide Cuyahoga County or OPD with any information required or requested by this Program;
  - (v) Whether the Participant has materially misrepresented any applicable facts in any filing or communication to Cuyahoga County or OPD; and
  - (vi) Whether any subsequent restructuring of the Participant's business or other action has been undertaken to cure the deficiencies in meeting applicable requirements.
- (1) Length of Suspension: Suspensions may be for any length of time. Cuyahoga County may impose suspensions in excess of one year in cases involving intentional or fraudulent misrepresentation or concealment of material facts, multiple acts in breach of the Program, cases where the Participant has been previously suspended, or other similarly situated misconduct.

Prohibition Against False Statements: It shall be unlawful for any person, knowingly and willfully and with intent to mislead or to make any false or fraudulent **representations to Cuyahoga County**. Cuyahoga County may impose sanctions against any person making such false representation in connection with the SBE Program.

## **XVI. TRAINING AND OUTREACH STRATEGIES**

Training: Cuyahoga County remains committed to implementing a program that increases the participation of SBEs in Cuyahoga County's procurement opportunities. To ensure that all Cuyahoga County employees involved in purchasing decisions are appropriately informed, certain personnel would undergo training to increase sensitivity regarding the utilization of SBEs. Internal training shall ensure that all staff with purchasing authority have the capacity and capability to engage in a consistent, fair and open procurement process. Training sessions shall occur periodically. The objective of the training is to effectively communicate the importance of the Program and the mechanics of how the Program operates. The training shall address the following topics, among others:

- (i) Understanding the purpose of the Program.
- (ii) Understanding the benefits of doing business with SBEs.
- (iii) Understanding how the Program is administered.

- (iv) Developing innovative techniques to increase SBE participation.

Outreach Program: To ensure that opportunities to participate in Cuyahoga County's contracts are available to the widest feasible universe of willing, available and qualified businesses, OPD shall develop and engage in outreach designed to increase public awareness of the Program. This outreach may consist of any of the following:

- (1) Public Awareness of the Program. To increase the visibility of OPD and to increase the awareness of the Program, OPD shall disseminate at community events, trade shows, and other appropriate business functions, and publish at regular intervals information describing the Program. This information shall also identify ongoing contracting opportunities. OPD will actively participate in the various advocacy groups to provide constant feedback and to keep SBEs abreast of the Program and contracting opportunities.
- (2) Outreach to SBEs. OPD shall assist SBEs by providing workshops and seminars on Cuyahoga County's procurement policies and procedures.

## **XVII. GRADUATION BY SBE PROGRAM PARTICIPANTS**

If a certified and otherwise eligible SBE achieves annual gross revenues or similar indicators of business size for three (3) consecutive years in its respective industry in excess of the pertinent SBA Size Standards for its certification category, then it shall be deemed to have overcome the effects of size and to have reached a competitive status in the marketplace. Upon achievement of such status, said firm(s) shall be graduated from the program and shall thereafter be ineligible for utilization to fulfill enforceable SBE Program participation goals. A graduated SBE may not subsequently re-enter the program unless, after the expiration of two calendar years, the SBE demonstrates:

1. that its annual gross receipts have declined to levels below those as set forth above and;
2. that during said two calendar years it was unable to achieve meaningful participation in Cuyahoga County contracts and/or in the public and private sectors of the larger local economy despite its good faith efforts to do so.

## **XVIII. MENTOR-PROTÉGÉ PROGRAM**

OPD may develop a Mentor-Protégé program and encourage all contractors and subcontractors to participate. If the program has been established, OPD shall make available a database of potential Mentor and Protégé firms. Participation in this program is strictly voluntary. No contractor or vendor shall be penalized or preferred based upon participation or non-participation in the program. Any Participants volunteering for this program shall be given recognition by OPD.

## XIX. BOND ASSISTANCE PROGRAM

As an initiative to enhance SBE participation, Cuyahoga County may investigate, develop, and implement a bond assistance program.

## XX. SEVERABILITY

If any of the provisions set forth in this Program or any section, subsection, paragraph, sentence, clause, phrase, or word thereof shall be found to be invalid, illegal or unenforceable for any reason, the application of the remainder of this Program shall not be affected by such invalidity.

## XXI. DEFINITIONS

For the purpose of this Program, the following words, terms, phrases and abbreviations shall have the following meanings:

“Certification”: shall mean the qualifying process that ensures buyers and local, state, and federal agencies that a particular business is eligible to become a part of the database which performs a commercially useful function.

“Commercially Useful Function”: shall mean the performance of real and actual services by a Participant who contracts with Cuyahoga County, or subcontracts with another business enterprise which contracts with Cuyahoga County. A business enterprise serving as a “conduit”, “front” or “pass-through” for another business shall not be deemed to perform a commercially useful function. In determining whether a business is performing a commercially useful function, factors, including but not limited to the following, will be considered:

- i) The nature and amount of work contracted;
- ii) Whether the SBE has the skill and expertise to perform work for which it has been certified;
- iii) Whether the SBE actually performs, manages and supervises the work;
- iv) Whether the SBE intends to purchase commodities and/or services from a non-SBE and simply resell same to the general or prime contractor for the purpose of allowing those commodities and/or services to be counted towards the fulfillment of a goal;
- v) Standard industry practices relating to the use of the subcontractors. Consistent with standard industry practices, an SBE subcontractor may enter into second tier

subcontracts. If an SBE subcontractor subcontracts a significantly greater portion of the work of its subcontract to a non-SBE inconsistent with standard industry practices, the SBE subcontractor shall be presumed not to be performing a commercially useful function.

“Compliance”: shall mean the condition existing when a Participant has met the requirements of this Program.

“Conduit”: shall mean a business which purchases goods or services that are not normally purchased or sold as part of its daily business from another business(es) for the sole purpose of resale to Cuyahoga County or a contractor doing business with Cuyahoga County.

“Contract”: shall mean any mutually binding legal obligation of Cuyahoga County created to acquire some good and/or service from one or more Participants, which is paid or which is to be paid for, in whole or in part, with monetary appropriations of Cuyahoga County. In this context, the terms “contracting”, “purchasing”, and “procurement” are synonymous and refer to the process or processes under which Cuyahoga County undertakes such acquisitions.

“Cuyahoga County”: shall mean the government agency which provides public contracting to increase quality of life in the County.

“Covenant of Non-Discrimination”: shall mean, collectively, one or more contractual affirmative promises (1) to adopt the policies of Cuyahoga County relating to the participation of SBEs in the procurement process; (2) to undertake certain good faith efforts to solicit SBEs participation; and (3) not to otherwise engage in discriminatory conduct against SBEs.

“Department”: Shall mean a department, division or elected officials office which solicits proposals through OPD.

“Goal”: shall mean an aspirational effort to attain a certain level of SBEs participation on contracts awarded by the Cuyahoga County based on subcontracting opportunities and available SBEs to perform.

“Good Faith Efforts”: shall mean the aggressive actions of a Participant undertaken in earnest to achieve an SBE goal and ensure that it does not discriminate in its contracting practices.

“Independent”: shall mean that with respect to the ownership, control and activity of a SBE, the business shall operate separate and apart from the ownership, control or undue influence of another business owned and controlled by one or more non-SBEs.

“Joint Venture”: shall mean an association of two or more independent persons, partnerships, corporations (or any combination of them) formed, consistent with the laws of the State of Ohio. This joint venture would carry out a single, for-profit business enterprise, for which the parties combine their property, capital, efforts, skills and knowledge, and in which the SBE is responsible for a distinct, clearly defined portion of the work of the contract and whose share in the capital contribution, control, management, risks, and profits of the joint venture are commensurate with its ownership interest.

“Manufacturer”: shall mean an individual (or individuals) who owns, operates, or maintains a factory or establishment that produces on the premises the components, materials, or supplies obtained by the Participant or Cuyahoga County.

“OPD”: shall mean the Office of Procurement & Diversity, which is responsible for administration of the SBE Program.

“Non-Compliance”: shall mean the condition that exists when a Participant has failed to meet the requirements of the SBE.

“Office”: shall mean that a business enterprise with an established place of business in the Cuyahoga County area at which one or more of its employees is regularly based and that such place of business has a substantial role in the business’ performance of a commercially useful function as herein defined. A location utilized solely as a post office box, mail drop or telephone message center or any combination thereof, with no other substantial work function, shall not constitute a significant business presence.

“Participant”: shall mean any contractor, vendor, supplier, or other person, partnership, joint venture, corporation or other business entity that submits a bid or proposal to Cuyahoga County or expressed interest in submitting a bid or proposal in response to competitive solicitation issued by Cuyahoga County or who has been awarded a contract by Cuyahoga County.

“Project Owner”: shall mean the representative of Cuyahoga County that enters into agreement or contracts with a firm for services or supplies or any other item which shall cause a disbursement of funds from Cuyahoga County.

“Proposal”: shall mean a quotation, proposal, bid or offer by a Participant to perform or provide labor, materials, supplies, or services to Cuyahoga County in response to competitive solicitation issued by Cuyahoga County.

“Race/Gender-Conscious”: shall mean any governmental or legislative policy or programmatic action that uses race or gender as criteria for participation. The use of an MBE or WBE goal is a primary example of a race-conscious measure.

“Race/Gender-Neutral”: shall mean any governmental or legislative policy or a programmatic action in which race or gender is not among, or the specific criteria for participation. While benefiting MBEs and WBEs, it is not solely focused on MBE or WBE firms and can be used to assist all small businesses. For example, small business outreach programs, technical assistance programs, mobilization fees, bonding assistance and prompt payment provisions can assist a wide variety of small businesses, not just MBEs and WBEs.

“Responsible”: shall reference a Participant’s integrity, compliance with public policy, and record of past performance and financial and technical resources. A Participant must meet certain requirements to be considered a responsible bidder.

“Responsive”: shall mean that a bid must comply in all material respects, both to the method and timeliness of submission and to the substance of any resulting contract, so that all Participants may stand on an equal footing and the integrity of the competitive bidding system may be maintained.

“Small Business Enterprise” (“SBE”): shall refer to a firm that is certified by OPD, submitted an application and has been accepted as a firm eligible to take advantage of affirmative action efforts established in this Program.

“Underutilization”: shall mean the percentage of dollars spent by Cuyahoga County with SBEs which is less than would be expected based on SBE availability in the County.



RQ {ENTER RQ#}

BIDDERS' MANUAL

Small Business Enterprise Program

For Construction, Services, Supplies and Professional Service Contracts

The goal of the Small Business Enterprise (SBE) Program is to support small businesses by creating positive partnerships in County contracting and other procurement opportunities. The Small Business Enterprise Program will achieve this goal by providing and supporting opportunities for small firms to grow and thereby compete effectively in the general environment for contracting opportunities.

THE SBE SUBCONTRACTOR PARTICIPATION GOAL  
FOR THIS BID/PROPOSAL IS

***{ENTER SBE %} %***

OF THE CONTRACT AWARD

Cuyahoga County  
Is an Equal Opportunity Employer

# SBE BIDDERS' MANUAL

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### REQUIRED FORMS:

- Covenant of Non-Discrimination (SBE-1)
- SBE Subcontractor Participation Plan (SBE-2)
- Good Faith Effort Certification (SBE-3, 2 pages)
- Sample of Completed SBE forms (4 pages)

# **INSTRUCTIONS TO BIDDERS**

## **I. Small Business Enterprise (SBE) Certification**

Only those Small Business Enterprises certified by the Cuyahoga County 's Office of Procurement & Diversity (OPD) shall be eligible for the fulfillment of the SBE participation goal. SBE listings may be obtained from the Office of Procurement & Diversity. If a Small Business Enterprise elects to compete for county business without being certified as such, they may do so, but any bid submitted will not be counted towards fulfillment of the SBE participation goal.

An SBE desiring certification with OPD must complete the certification application. SBE applications may be obtained from the:

Office of Procurement & Diversity  
County Administration Building, Room 110  
1219 Ontario Street  
Cleveland, Ohio 44113  
(216) 443-7230  
or downloaded at [www.opd.cuyahogacounty.us](http://www.opd.cuyahogacounty.us)

## **II. SBE Participation Goal**

The SBE Participation goal can be achieved in the following manner(s):

1. A prime vendor subcontracts with one or more certified SBEs to meet or exceed the SBE goal;
2. A prime vendor subcontracts with one or more certified SBEs in an amount short of the SBE goal, but submits a complete Good Faith Effort (further described below);
3. A certified SBE who bids as a prime contractor subcontracts a portion of the work to another certified SBE. Certified SBEs bidding as prime contractors will receive a 20% credit towards the SBE participation goal. However, the certified SBE must secure additional certified SBE subcontractor participation and/or seek a waiver based on Good Faith Effort (further described below) for any remaining balance of the SBE goal.

## **III. Mandatory Bidding Requirements for Prime Contractors**

In consideration of the right and privilege to submit a bid or proposal on construction projects and other contracts with Cuyahoga County, at the time of submitting a proposal or bid, each participant shall be required to present appropriate documentation. The documents described below must be completed and signed by each Participant before a proposal or bid can be considered responsive:

- 3) Covenant of Non-Discrimination: Each Participant must submit a duly executed and attested Covenant of Non-Discrimination (SBE-1, found in the attached Bidder's Manual). This written instrument shall contain promises, declarations and/or affirmations made by the Participant. The completed document must contain an original signature and date of signature.
- 4) SBE Subcontractor Participation Plan: Each Participant must submit a duly executed Subcontractor Participation Plan (SBE-2, found in the attached B ) for each SBE subcontractor proposed.

Copies and/or facsimiles of SBE-2 submitted with bids/proposals are acceptable BUT all required signatures must be dated as indicated. Also, please note the following:

- a) Certified SBEs who are bidding as prime contractors **MUST** complete and submit the top portion of Form SBE-2 to guarantee the 20% SBE credit.
- b) SBEs with multiple geographical locations shall enter the Cuyahoga County address and contact information on Form SBE-2.
- c) Prime vendors are **PROHIBITED** from using SBE(s) with whom the prime vendor has a familial relationship, joint or co-ownership, common partners, officers, or a shareholder relationship to meet the SBE Participation Goal. Hence, on Cuyahoga County projects/contracts, any portion of work subcontracted to a SBE vendor by a prime vendor that meets the above-mentioned criteria will **NOT** count towards the achievement of the established SBE Participation Goal.

Use of 2<sup>nd</sup> Tier Subcontractors: In the event that a subcontractor portions out work and utilizes the services of a sub-subcontractor or vendor, the prime contractor shall be required to report this use to OPD. For reporting purposes, the prime contractor shall report statistical data for the sub-subcontractor or sub-vendor, including race, gender, business size, area of specialization, dollar value, description of services or products purchased, and contact information. No SBE subcontractor will be permitted to subcontract more than 25% of their subcontract work (based on dollar value) without prior approval by OPD.

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Aggressive “Good Faith Efforts” to include SBEs in the procurement process are required of all Participants. These Good Faith Efforts should be in addition to the Participant’s regular and customary solicitation process of contact with potential subcontractors and/or vendors.

Written Notice to SBEs: To demonstrate good faith efforts, a Participant shall deliver written or electronic notice to potential, SBEs. SBEs should be contacted not less than one (1) week before the bid or proposal due date. Names, addresses, and telephone numbers for available SBEs may be obtained by contacting OPD or reviewing the database on the website at <http://opd.cuyahogacounty.us/>.

The written or electronic notice sent to potential subcontractors or vendors shall contain the following:

- (1) Sufficient information about the plans, specifications, and relevant terms and conditions of the solicitation. This should include information about the work which will be subcontracted or the goods which will be obtained from subcontractors and suppliers;

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- (4) The deadline for price quotations.

Evaluation of Good Faith Efforts: In evaluating good faith efforts, OPD will determine whether the Participant has made reasonable good faith efforts to obtain SBE participation as part of its bid or proposal. OPD may evaluate not only the different kinds of efforts made by a Participant, but also the quantity and intensity of those efforts.

OPD will consider a completed Good Faith Effort Certification (SBE-3, 2 pages, found in the attached Bidder’s Manual), as evidence of a Participant’s good faith in trying to obtain SBE participation in a bid or proposal.

Required Documentation: To demonstrate good faith efforts, Participants shall keep detailed records of all correspondence and responses thereto, logs of all telephone calls made and received regarding the project or contract, confirmation receipts for fax transmissions, receipts from registered or certified mail, copies of advertisements in publications and other media, and other relevant papers required by this Program.

Good Faith Effort Certification: Participant must submit a completed Good Faith Certification (SBE-3, found in the attached Bidder’s Manual) ONLY if the SBE Participation Goal is not met. Additional documentation demonstrating a good faith effort must accompany the checklist. The completed document must contain an original signature, notarizations, and date of signature.

## **V. Award of Contracts**

Award of Contract: Proposals/ bids may be rejected and projects re-submitted for the sole purpose of attaining goals where no “good faith effort” has been demonstrated. Cuyahoga County reserves the right to determine the action to be taken on the contract if a goal is not met, including rejecting any or all bids or proposals. If an awarded contract is later amended for additional dollars, SBE subcontractor participation should still reflect the percentage of dollars originally contracted for.

When evaluating a bid to determine the lowest and best bid, the County may consider, in addition to all of the other factors set forth in the instructions to bidders, whether a bid is SBE compliant; provided, however, that such SBE compliance shall not be considered if the difference between the SBE-compliant bid and the lowest responsive bid is more than the price preference specified below.

Lowest Bid Received Range (\$)	Price Preference (%) & Limit	Price Preference (\$)
0 – 500,000	10%	0 – 50,000
500,001 – 1,000,000	10% up to max \$80,000 (10-8)	50,000 – 80,000
1,000,0001 – 3,000,000	8% up to max \$210,000 (8-7)	80,000 – 210,000
3,000,001 – 5,000,000	7% up to max \$250,000 (7-5)	210,000 – 250,000
>5,000,000	\$250,000 maximum (≤5)	250,000 maximum

## **VI. Monitoring and Post-Award Reporting**

Office of Procurement and Diversity Authorization to Monitor: OPD shall be authorized to collect from all Participants such data and information as is necessary to monitor this Program. This information may include information as to business ownership, supplier information, subcontractor information, all of which shall reflect the contract information, race, gender, business location, and size of the identified businesses.

OPD shall continuously monitor the participation of SBEs in the procurement of goods and services for Cuyahoga County. Such monitoring shall include, but is not necessarily limited to, a statistical analysis of each construction trade, business service, professional service and commodity to determine whether there is utilization of SBEs in a manner that is proportionate to the established goal.

OPD will provide written reports on an annual basis. OPD's report shall contain a summary of the purchases and contracts placed with SBEs for the period and the relative percentage to the total of purchases and contracts for that period and the size, quantity and quality of SBE involvement by dollar volume.

Participant's Post-Award Reporting: Participants who are awarded contracts must submit reports, during the course of, and at the end of the contract as requested by OPD. These reports shall summarize the number and dollar amounts of payments made during the term of the contract to subcontractors. The final report shall summarize the number and dollar amounts of payments made during the term of the contract to all subcontractors and shall reflect the SBE designation of the subcontractor if any. OPD reserves the right to audit a contract for SBE participation at his/her discretion during any phase of the project. An audit would include but not be limited to: on site reviews, desk reviews, requests for cancelled checks, requests for invoices, certified payroll reports, etc.

SBE Subcontractor Substitutions or Replacements: The prime contractor shall report any replacements or substitutions of the use of SBE subcontractors to OPD immediately. Prior approval by the Director of OPD is required for SBE substitutions/replacements. For reporting purposes, the prime contractor shall report to OPD statistical data pertaining to the new subcontractor, including race, gender, business size, area of specialization, and contact information on the SBE Subcontractor Participation Plan form (SBE-2).

OPD will require a Participant to make good faith efforts to replace a SBE that is terminated or has otherwise failed to complete its work on a contract with another SBE to the extent needed to meet the contract SBE Participation Goal. The Participant must notify OPD immediately, and in writing, of the SBE's inability or unwillingness to perform and provide reasonable documentation. The request should include at a minimum: the name of the SBE firm, the contact, the phone number, the scope of work initially assigned to the SBE firm, dollars paid to date, percent of scope completed, and the reason for the substitution request including documentation of the SBE's withdrawal.

The Participant will be given five (5) business days to find a SBE substitution if the request is granted. In this situation, the Participant will be required to obtain prior approval of the substitute SBE and to provide copies of SBE Subcontractor Participation Plan (SBE-2) or documentation of good faith efforts.

If the Participant fails or refuses to comply in the time specified, OPD may issue a recommendation to stop all or part of payment and/or work until satisfactory action has been taken. If the Participant still fails to comply, OPD may issue a recommendation of termination of the contract.

Contractors' Closeout Activity Reports: To further monitor SBE participation, closeout activity reports will be required from project prime contractors and prime consultants identifying activities of all subcontractors and sub-consultants. This report shall include all modifications/amendments/change orders and shall reflect the contact information, race, gender, business size, scope of work, and amount paid to each firm.

## REQUIRED DOCUMENTS

The following forms regarding the Small Business Enterprise Program must be completed and submitted with bids/proposals:

COVENANT OF NON-DISCRIMINATION (SBE-1)

SBE SUBCONTRACTOR PARTICIPATION PLAN (SBE-2)

GOOD FAITH EFFORT CERTIFICATION (SBE-3, 2 PAGES)

**COVENANT OF NON-DISCRIMINATION**

(MUST be completed and submitted with ALL bids or proposals)

Know All Men By These Presents, that I/we, ( \_\_\_\_\_ ),  
Name(s)  
( \_\_\_\_\_ ), ( \_\_\_\_\_ ),  
Title(s) Name of Company

(hereinafter "Company"), in consideration of the privilege to submit Bids/Proposals on contracts funded, in whole or in part, by Cuyahoga County, hereby consents, covenants and agrees as follows:

(1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin or gender in connection with any Bid/Proposal submitted to Cuyahoga County or the performance of any contract resulting from;

(2) That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contact or otherwise interested in contracting with this Company, including various eligible Small Business Enterprises (hereinafter "SBEs");

(3) In connection herewith, I/We acknowledge and warrant that this Company has been made aware of, understands and agrees to make a Good Faith Effort to solicit SBEs to do business with this Company;

(4) That the Covenant of Non-Discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption;

(5) That the Covenant of Non-Discrimination as made and set forth herein shall be and are hereby deemed to be made a part of, and incorporated by reference into, any contract or portion thereof which this Company may hereafter obtain; and

(6) That the failure of this Company to satisfactorily discharge any of the Covenant of Non-Discrimination as made and set forth herein shall constitute a material breach of contract entitling Cuyahoga County to declare the contract in default and to exercise any and all applicable rights and remedies, including but not limited to, cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

\_\_\_\_\_  
(Original Signature of Company Representative Identified Above)

\_\_\_\_\_  
(Date)

**SBE SUBCONTRACTOR PARTICIPATION PLAN**  
**(MUST be submitted for EACH SBE Subcontractor Proposed)**

(A) TOTAL AMOUNT OF OVERALL CONTRACT BID/PROPOSAL \$ \_\_\_\_\_

CHECK ONE:

SERVICE CONTRACT  SUPPLY CONTRACT  CONSTRUCTION CONTRACT

BUSINESS NAME OF PRIME BIDDER \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

TELEPHONE ( ) \_\_\_\_\_ E-MAIL \_\_\_\_\_

FIRM OWNED BY:  MAJORITY  MINORITY (SPECIFY: \_\_\_\_\_)  FEMALE

(B) AMOUNT TO BE SUBCONTRACTED TO SBE: \$ \_\_\_\_\_ PERCENT OF TOTAL OVERALL CONTRACT BID [(B)/(A)]: \_\_\_\_\_ %

SCOPE OF WORK PROVIDED BY SBE: \_\_\_\_\_

PRIME BIDDER'S NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
(TYPE OR PRINT)

PRIME BIDDER'S SIGNATURE \_\_\_\_\_  
(DATE OF SIGNATURE)

**SBE SUBCONTRACTOR TO BE UTILIZED**  
(MUST BE CERTIFIED BY THE CUYAHOGA COUNTY OFFICE OF PROCUREMENT & DIVERSITY)

NAME OF SBE SUBCONTRACTOR \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP CODE \_\_\_\_\_

AREA CODE ( ) TELEPHONE \_\_\_\_\_

**\*\*\*\*\*NOTE: SBE MUST BE A COUNTY CERTIFIED SBE\*\*\*\*\***

THE UNDERSIGNED HEREWITH AGREES TO SUBCONTRACT WITH THE ABOVE NAMED BIDDER FOR THE ABOVE SAID SERVICE(S) OR SUPPLY(IES) TO BE FURNISHED TO THE COUNTY.

SBE SUBCONTRACTOR'S NAME \_\_\_\_\_ TITLE \_\_\_\_\_  
(TYPE OR PRINT)

SBE SUBCONTRACTOR'S SIGNATURE \_\_\_\_\_  
(DATE OF SIGNATURE)

**GOOD FAITH EFFORT CERTIFICATION**

(Must be submitted with bids NOT meeting SBE goal or requesting full or partial waiver)

**Pursuant to the requirements for bidders under the SBE Program, and in consideration of the privilege to submit bids/proposals funded, in whole or in part, by Cuyahoga County,**

I/We, ( \_\_\_\_\_ ), ( \_\_\_\_\_ ) of  
( \_\_\_\_\_ )  
Name(s) of Person(s) Signing Below Title(s) Company Name

**attest that I/We have exercised the following good faith efforts in addition to my/our regular and customary solicitation process: (Check ALL that apply and complete as indicated)**

- I/We are requesting a FULL/PARTIAL WAIVER of the SBE Participation Goal for the following reason(s): \_\_\_\_\_
- I/We are a non-profit agency and are requesting a FULL WAIVER of the SBE Participation Goal.
- I/We have contacted OPD or website to obtain a list of SBEs appropriate to the bid/proposal.
- I/We delivered written notice to available certified SBEs for each potential subcontracting or supply category in the contract AND all potential subcontractors or vendors which requested information on the contract.
- I/We have provided all potential subcontractors or vendors with adequate information as to plans, specifications, relevant terms and conditions of the contract, bonding requirements, and the last date and time for receipt of price quotations.
- I/We have attended the pre-bid/proposal conference.
- I/We have provided a written explanation for rejection of any potential SBE subcontractor or vendor to OPD, where price competitiveness is not the reason for rejection.
- I/We have actively solicited, through sending letters, emails or initiating personal contact, SBEs in all feasible and appropriate categories providing subcontracting opportunities for the contract under consideration.
- I/We have utilized the services of available community organizations and associations, contractors' groups, and trade associations known to publicize contracting and procurement opportunities, for the purpose of obtaining assistance in the contacting and recruitment of SBEs for the Cuyahoga County contract under consideration.
- I/We have conducted discussions with interested SBEs in good faith, and provided the same willingness to assist SBEs as has been extended to any other similarly situated subcontractor.
- I/We have taken steps to ensure that all labor supervisors, superintendents, and other on-site supervisory personnel are aware of and carry out the obligation to maintain a non-discriminatory work environment, free of harassment, intimidation and coercion at all construction sites, offices and other facilities to which employees are assigned to work.



\*\*\*\* SAMPLE FORMS \*\*\*\*

COVENANT OF NON-DISCRIMINATION

(MUST be completed and submitted with ALL bids or proposals)

Know All Men By These Presents, that I/we, (John Doe),  
Name(s)  
(President, Owner), (ABC Company, Inc.),  
Title(s) Name of Company

(hereinafter "Company"), in consideration of the privilege to submit Bids/Proposals on contracts funded, in whole or in part, by Cuyahoga County, hereby consents, covenants and agrees as follows:

(1) No person shall be excluded from participation in, denied the benefit of, or otherwise discriminated against on the basis of race, color, national origin or gender in connection with any Bid/Proposal submitted to Cuyahoga County or the performance of any contract resulting from;

(2) That it is and shall be the policy of this Company to provide equal opportunity to all business persons seeking to contact or otherwise interested in contracting with this Company, including various eligible Small Business Enterprises (hereinafter "SBEs");

(3) In connection herewith, I/We acknowledge and warrant that this Company has been made aware of, understands and agrees to make a Good Faith Effort to solicit SBEs to do business with this Company;

(4) That the Covenant of Non-Discrimination as made and set forth herein shall be continuing in nature and shall remain in full force and effect without interruption;

(5) That the Covenant of Non-Discrimination as made and set forth herein shall be and are hereby deemed to be made a part of, and incorporated by reference into, any contract or portion thereof which this Company may hereafter obtain; and

(6) That the failure of this Company to satisfactorily discharge any of the Covenant of Non-Discrimination as made and set forth herein shall constitute a material breach of contract entitling Cuyahoga County to declare the contract in default and to exercise any and all applicable rights and remedies, including but not limited to, cancellation of the contract, termination of the contract, suspension and debarment from future contracting opportunities, and withholding and/or forfeiture of compensation due and owing on a contract.

John Doe February 1, 2008  
(Original Signature of Company Representative Identified Above) (Date)

SBE SUBCONTRACTOR PARTICIPATION PLAN  
(MUST be submitted for EACH SBE Subcontractor Proposed)

SBE-2  
RQ# XXXXX

(A) Total Amount of Overall Contract Bid/Proposal \$ 500,000

Check One:

Service Contract                       Supply Contract                       Construction Contract

Business Name of Prime Bidder ABC Company, Inc.

Address 111 Main Street

City Anywhere                      State Ohio                      Zip Code 44000

Telephone (216) 555-5555                      E-Mail abccompany@yahoo.com

Firm Owned by:    X Majority                       Minority (specify: \_\_\_\_\_)                       Female

(B) Amount to be                      Percent of Total  
Subcontracted to SBE:                      Overall Contract Bid  
\$ 100,000 [(B)/(A)]:                      20 %

Scope of Work Provided By SBE: Electrical Contracting Services

Prime Bidder's Name: John Doe                      Title: President/Owner  
(Type or Print)

Prime Bidder's Signature: John Doe                      Date: February 1, 2008  
(Date of Signature)

SBE SUBCONTRACTOR TO BE UTIZIED  
(Must be certified by the Cuyahoga County Office of Procurement & Diversity)

Name of SBE: Electrifying Electric Company

Address: 456 Main Street, Anywhere, OH 44000

City Anywhere                      State Ohio                      Zip Code 44000

Area Code ( 216)    Telephone 555-5551

\*\*\*\*\*NOTE: SBE MUST BE A COUNTY CERTIFIED SBE\*\*\*\*\*

The undersigned herewith agrees to subcontract with the above named bidder for the above said services(s) or supply(ies) to be furnished to the County.

SBE Subcontractor's Name: Tom Edison                      Title: President/Owner  
(Type or Print)

Prime Bidder's Signature: Tom Edison                      Date: January 23, 2008  
(Date of Signature)

GOOD FAITH EFFORT CERTIFICATION

(Must be submitted with bids NOT meeting SBE goal or requesting full or partial waiver)

Pursuant to the requirements for bidders under the SBE Program, and in consideration of the privilege to submit bids/proposals funded, in whole or in part, by Cuyahoga County,

I/We, ( John Doe ), ( President, Owner ) of ( ABC Company, Inc. ) Name(s) of Person(s)  
Signing Below Title(s) Company Name

attest that I/We have exercised the following good faith efforts in addition to my/our regular and customary solicitation process: (Check ALL that apply and complete as indicated)

- I/We are requesting a FULL/PARTIAL WAIVER of the SBE Participation Goal for the following reason(s): We are requesting a partial waiver of the SBE Goal as we were only able to meet 20% of the 25% goal. We were unable to find an SBE to meet the additional 5% required.
- I/We are a non-profit agency and are requesting a FULL WAIVER of the SBE Participation Goal.
- I/We have contacted OPD or website to obtain a list of SBEs appropriate to the bid/proposal.
- I/We delivered written notice to available certified SBEs for each potential subcontracting or supply category in the contract AND all potential subcontractors or vendors which requested information on the contract.
- I/We have provided all potential subcontractors or vendors with adequate information as to plans, specifications, relevant terms and conditions of the contract, bonding requirements, and the last date and time for receipt of price quotations.
- I/We have attended the pre-bid/proposal conference.
- I/We have provided a written explanation for rejection of any potential SBE subcontractor or vendor to OPD, where price competitiveness is not the reason for rejection.
- I/We have actively solicited, through sending letters, emails or initiating personal contact, SBEs in all feasible and appropriate categories providing subcontracting opportunities for the contract under consideration.
- I/We have utilized the services of available community organizations and associations, contractors' groups, and trade associations known to publicize contracting and procurement opportunities, for the purpose of obtaining assistance in the contacting and recruitment of SBEs for the Cuyahoga County contract under consideration.
- I/We have conducted discussions with interested SBEs in good faith, and provided the same willingness to assist SBEs as has been extended to any other similarly situated subcontractor.
- I/We have taken steps to ensure that all labor supervisors, superintendents, and other on-site supervisory personnel are aware of and carry out the obligation to maintain a non-discriminatory work environment, free of harassment, intimidation and coercion at all construction sites, offices and other facilities to which employees are assigned to work.

If applicable, identify all SBEs contacted to participate that declined or were not chosen:

RQ# XXXXX

1. Perfect Plumbing Company 222 Main Street, Anywhere, OH 44000 216-555-5553  
Name of Subcontractor/Vendor Address Phone  
Paul Perfect January 15, 2008 \$25,000 (5%) January 18, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining Has other commitments at this time and is unable to work with us.

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2. Dan's DuctWork Company 333 Main Street, Anywhere, OH 44000 216-555-5554  
Name of Subcontractor/Vendor Address Phone  
Dan Handy January 18, 2008 \$25,000 (5%) January 19, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining They are no longer providing the required sub-contracting service as part of its business.

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3. Dave's Landscapes Inc 444 Main Street, Anywhere, OH 44000 216-555-5556  
Name of Subcontractor/Vendor Address Phone  
Dave Curbappeal January 16, 2008 \$25,000 (5%) January 17, 2008  
Name of Contact Date of Offer to Participate Bid Amount Date Offer Declined

Reasons Given for Declining Has other commitments at this time and is unable to work with us.

---

(Make additional copies to extend list of SBE contacts if needed)

I/We affix my/our signature to this document to attest that I/We have exercised the above-indicated Good Faith Effort to promote SBE participation on the Bid/Proposal and Contract under consideration and to comply fully with the provisions of the Cuyahoga County Small Business Enterprise Program.

John Doe  
Printed/Typed Name of Company Official

February 1, 2008  
Date

John Doe  
Signature (Must be Original)

President, Owner  
Title of Company Official

ABC Company, Inc.  
Full Company Name

111 Main Street  
Mailing Address

216-555-5555  
Area Code/ Phone Number

Anywhere, OH 44000  
City, State, Zip

Nancy Notarious  
Notary Public

December 31, 2010  
My Commission Expires

PLEASE NOTE: Failure to properly complete and submit SBE-1, SBE-2 and SBE-3 (if applicable) will result in bids/proposals being ruled non-responsive.