



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, OCTOBER 14, 2014**  
**CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS**  
**COUNCIL CHAMBERS – 4<sup>TH</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) September 23, 2014 Regular Meeting (See Page 14)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
  - a) Presentation of various Proclamations to commemorate October as awareness month in Cuyahoga County:
    - 1) Breast Cancer (See Page 29)
    - 2) Bullying Prevention (See Page 30)
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**
  - a) **CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**

- 1) R2014-0238: A Resolution confirming the County Executive's appointment of Harriet Shaw Applegate to serve on the Cleveland-Cuyahoga County Port Authority Board of Directors for an unexpired term ending 1/28/2016, and declaring the necessity that this Resolution become immediately effective. (See Page 31)

Sponsors: Councilmembers Connally and Conwell

- 2) R2014-0239: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 by providing for an additional fiscal appropriation from the General Fund in order to meet the budgetary needs of a County department, and declaring the necessity that this Resolution become immediately effective. (See Page 35)

Sponsors: Councilmembers Conwell and Miller on behalf of Personnel Review Commission

**b) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING**

- 1) R2014-0227: A Resolution confirming the County Executive's reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective. (See Page 40)

Sponsors: Councilmembers Connally and Conwell

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

- 2) R2014-0228: A Resolution adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective. (See Page 42)

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

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

- 3) R2014-0229: A Resolution amending the Rules of Council, and declaring the necessity that this Resolution become immediately effective. (See Page 47)

Sponsor: Councilmember Miller

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

**c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- 1) R2014-0224: A Resolution confirming the County Executive’s appointment of Reverend Larry L. Macon, Sr. to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/4/2018, and declaring the necessity that this Resolution become immediately effective. (See Page 84)

Sponsors: Councilmembers Connally and Conwell

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

- 2) R2014-0225: A Resolution confirming the County Executive’s appointment of Maureen Dee to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/5/2019, and declaring the necessity that this Resolution become immediately effective. (See Page 88)

Sponsors: Councilmembers Connally and Conwell

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

- 3) R2014-0226: A Resolution confirming the County Executive’s appointment or reappointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for various terms each beginning 7/1/2014, and declaring the necessity that this Resolution become immediately effective: (See Page 92)

i) Reappointment for the term ending 6/30/2015:

a) Michael T. Latkovich

- b) Sari Feldman
- c) Jay Carson
  
- ii) Appointment for the term ending 6/30/2016:
  - a) Aaron Grossman
  
- iii) Reappointment for the term ending 6/30/2016:
  - a) Daniel E. Berry
  
- iv) Reappointment for the term ending 6/30/2017:
  - a) Gayle Thompkins Agahi
  - b) Lawrence Benders
  - c) Joseph A. Calabrese
  - d) Harriet Shaw Applegate
  - e) Bill Kitson
  - f) Kim M. Shelnik
  
- v) Appointment of mandatory partner for an undetermined term:
  - a) David Merriman

Sponsors: Councilmembers Connally and Conwell

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

**d) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**

- 1) O2014-0030: An Ordinance enacting the Cuyahoga County Appointment and Confirmation Act, and declaring the necessity that this Ordinance become immediately effective. (See Page 99)

Sponsor: Councilmember Conwell

**e) COMMITTEE REPORTS AND CONSIDERATION OF ORDINANCES OF COUNCIL FOR SECOND READING**

- 1) O2014-0023: An Ordinance amending Chapter 202 of the Cuyahoga County Code by adding Section 202.18 to establish

a Department of Sustainability and to provide for the powers and duties of the Director of Sustainability. (See Page 102)

Sponsors: Councilmembers Simon, Miller, Connally, Brady, Germana, Conwell and Hairson

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

- 2) O2014-0028: An Ordinance establishing the Cuyahoga County Archives Advisory Commission, and declaring the necessity that this Ordinance become immediately effective. (See Page 105)

Sponsor: Council President Connally

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

**f) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- 1) O2014-0029: An Ordinance codifying the powers and duties of the Personnel Review Commission and authorizing the Personnel Review Commission to adopt administrative rules in accordance with the Charter and the Cuyahoga County Code, and declaring the necessity that this Ordinance become immediately effective. (See Page 110)

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

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

**g) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION**

- 1) O2014-0021: An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding Sections 701.06 and 701.07 to establish guidelines for the County's investment policy and financial reporting requirements for Cuyahoga County. (See Page 114)

Sponsor: Councilmember Miller

## 10. LEGISLATION INTRODUCED BY EXECUTIVE

### a) CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

- 1) R2014-0240: 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 118)

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

### b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0241: A Resolution authorizing an amendment to Contract No. CE0900320-01 with Investment Properties, Ltd. for lease of office space located at 1835 Prospect Avenue, Cleveland, for use by Veterans Service Commission for the period 10/1/2009 - 9/30/2014 to extend the time period to 9/30/2019 and for additional funds in the amount not-to-exceed \$1,019,132.40; 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 134)

Sponsors: County Executive FitzGerald/Department of Public Works on behalf of Cuyahoga County Veterans Service Commission

- 2) R2014-0242: A Resolution authorizing a revenue generating Utility Agreement with Village of Oakwood for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 18; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 140)

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

- 3) R2014-0243: A Resolution authorizing an Economic Development Collateral Enhancement in the amount not-to-exceed \$5,000,000.00 for the benefit of Schofield Properties, LLC for renovation and redevelopment of the historic Schofield Building, located at 2000 East 9<sup>th</sup> Street, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said collateral enhancement and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 144)

Sponsor: County Executive FitzGerald/Department of Development

- 4) R2014-0244: A Resolution authorizing an agreement with City of Chardon for participation in the Cuyahoga County Benefits Regionalization Program for the period 3/1/2014 - 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 152)

Sponsor: County Executive FitzGerald/Department of Human Resources

- 5) R2014-0245: A Resolution authorizing an agreement with City of Cleveland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 9/1/2014 - 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 155)

Sponsor: County Executive FitzGerald/ Department of Human Resources

- 6) R2014-0246: A Resolution authorizing a revenue generating agreement with City of Cleveland in the amount not-to-exceed \$2,033,333.00 for Crime Lab testing services for the period 11/1/2014 - 12/31/2025; 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 158)

Sponsor: County Executive FitzGerald/Medical Examiner

- 7) R2014-0247: A Resolution making an award on RQ30402 to Oriana House, Inc. in the amount not-to-exceed \$744,000.00 for the Cognitive Skills Development Program for the period 7/1/2014 - 6/30/2017; 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 162)

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board

- 8) R2014-0248: A Resolution authorizing a contract with Court Community Service in the amount not-to-exceed \$555,000.00 for the Community Works Service Placement and Supervision Program for the period 1/1/2015 - 12/31/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 168)

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board

**c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING**

- 1) R2014-0231: A Resolution making an award on RQ30137 to Hilton Supply Management, LLC in the amount not-to-exceed \$150,000.00 to arrange for the purchase, delivery and installation of certain operating supplies and equipment (“OS&E”) for use in the operation of the Hotel; authorizing Hilton Supply Management, LLC to act as the County’s agent to purchase OS&E in the amount not-to-exceed \$7,200,000.00 for use in the operation of the Hotel; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective. (See Page 174)

Sponsor: County Executive FitzGerald/Department of Public Works

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

- 2) R2014-0232: A Resolution making an award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for the Jane Edna Hunter and Emergency Men's Shelter Roof Renovation Project; 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 177)

Sponsor: County Executive FitzGerald/Department of Public Works

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

- 3) R2014-0233: A Resolution authorizing a revenue generating Utility Agreement with Village of Highland Hills for maintenance and repair of storm sewers, sanitary sewers and water lines 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. (See Page 179)

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

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

- 4) R2014-0234: A Resolution authorizing a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 181)

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and Councilmember Miller

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

**d) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- 1) R2014-0235: A Resolution authorizing an amendment to Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting Point for out-of-school time and transition services for the Out-of-School Time Program for the period 9/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; 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 184)

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

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

- 2) R2014-0236: A Resolution authorizing a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 187)

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

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

**e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION**

- 1) R2014-0212: A Resolution authorizing an agreement with City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015; 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 189)

Sponsors: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System

**f) CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE**

- 1) O2014-0031: An Ordinance amending the County's Debarment Law to clarify that the period of debarment under Chapter 505 of the Cuyahoga County Code commences from the date of issuance of the debarment, and declaring the necessity that this Ordinance become immediately effective. (See Page 191)

Sponsor: County Executive FitzGerald

- 2) O2014-0032: An Ordinance enacting the County's Administrative Procedures Act, including establishment of the Administrative Rules Approval Board and procedures for the publication of the Cuyahoga County Administrative Code; and declaring the necessity that this Ordinance become immediately effective. (See Page 194)

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

**g) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING**

- 1) O2014-0014: An Ordinance establishing the Cuyahoga County Property Demolition Program, and declaring the necessity that this Ordinance become immediately effective. (Pending Committee Recommendation) (See Page 202)

Sponsors: County Executive FitzGerald/Department of Development and Councilmembers Jones, Connally, Brady, Simon, Hairston, Conwell and Miller

Committee Assignment and Chair: Committee of the Whole – Connally

**h) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING AND REFERRAL TO COMMITTEE**

- 1) O2014-0027: An Ordinance enacting Title 13, Chapter 1302 of the Cuyahoga County Code to establish the Cuyahoga County Weights and Measures Code, and declaring the necessity that this Ordinance become immediately effective. (See Page 208)

Sponsor: County Executive FitzGerald/Fiscal Officer/ Department of Consumer Affairs

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

**11. REPORT BY CLERK ON LEGISLATION WITHDRAWN AT REQUEST OF SPONSOR(S)**

- a) R2011-0188: A Resolution providing for the submission to the Electorate of an amendment to Article 3, Section 3 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective. (Sponsored by Miller)
- b) R2011-0189: A Resolution providing for the submission to the Electorate of an amendment to Article 3, Section 4, Subsection 2 of the Charter of Cuyahoga County; and declaring the necessity that this Resolution become immediately effective. (Sponsored by Miller)
- c) R2013-0163: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article VI, Section 6.03 of the Charter of Cuyahoga County establishing the Investment Advisory Committee in the Charter; and declaring the necessity that this Resolution become immediately effective. (Sponsored by Greenspan)
- d) O2013-0005: An Ordinance establishing a Reserve Policy for the Loan Forgiveness Portion of Loans supported by the Economic Development Fund, and declaring the necessity that this Ordinance become immediately effective. (Sponsored by Greenspan)

- e) O2013-0006: An Ordinance establishing a Reserve Policy for Doubtful Debt for Loans supported by the Economic Development Fund, and declaring the necessity that this Ordinance become immediately effective. (Sponsored by Greenspan)
  
- f) R2014-0164: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article VI, Section 6.03 of the Charter of Cuyahoga County establishing the Investment Advisory Committee in the Charter; and declaring the necessity that this Resolution become immediately effective. (Sponsored by Greenspan)

**12. MISCELLANEOUS COMMITTEE REPORTS**

**13. MISCELLANEOUS BUSINESS**

**14. PUBLIC COMMENT UNRELATED TO AGENDA**

**15. ADJOURNMENT**

NEXT MEETINGS

COMMITTEE OF THE WHOLE MEETING: TUESDAY, OCTOBER 28, 2014  
3:00 PM / COUNCIL CHAMBERS

REGULAR MEETING: TUESDAY, OCTOBER 28, 2014  
5:00 PM / COUNCIL CHAMBERS

*\*Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5<sup>th</sup> floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, SEPTEMBER 23, 2014  
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS  
COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR  
5:00 PM**

**1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 5:01 p.m.**

**2. ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**Council President Connally requested a moment of silent meditation be dedicated to personal reflections.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**Reverend Pamela Pinkney Butts addressed Council regarding issues of concern to her relating to various agenda and non-agenda related items.**

**6. APPROVAL OF MINUTES**

- a) September 9, 2014 Committee of the Whole Meeting
- b) September 9, 2014 Regular Meeting
- c) September 16, 2014 Committee of the Whole Meeting

**A motion was made by Mr. Hairston, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the September 9, 2014 Committee of the Whole and Regular meetings and the September 16, 2014 Committee of the Whole meeting.**

**7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**

- a) Presentation of various Proclamations:
  - 1) recognizing the Cuyahoga County Board of Elections for excellence in election administration.

**Council President Connally deferred this item to Councilmember Greenspan, who made comments and presented the Cuyahoga County Board of Elections with a proclamation. Mr. Pat McDonald, Director for the Board of Elections, thanked Council for its recognition and introduced Board Chairwoman Inajo Davis Chappell.**

- 2) commemorating October 2014 as Cyber Security Awareness Month in Cuyahoga County.

**Council President Connally deferred this item to Mr. Jeffrey Mowry, Chief Information Officer. Mr. Mowry and Mr. Jeremy Mio, Security Manager, then addressed Council regarding the importance of cyber security awareness, the Cuyahoga County Cyber Support Initiative and the County's new cyber security web site. Council President Connally then presented Mr. Mowry with a proclamation.**

**8. MESSAGES FROM THE COUNTY EXECUTIVE**

- a) Contracts executed by County Executive (attachment)

**County Executive FitzGerald reported that on September 30, 2014 there will be a ribbon-cutting ceremony for the Crime Lab at the Medical Examiner's office.**

**9. RECEIPT OF DOCUMENT SUBMITTED TO COUNCIL**

- a) Cuyahoga County Veterans Service Commission Revised 2015 Tax Budget

**Council President Connally noted that the Cuyahoga County Veterans Service Commission had submitted its 2015 Tax Budget in accordance with the Ohio Revised Code in June and that the Council is now in receipt of a revised 2015 Tax Budget.**

10. LEGISLATION INTRODUCED BY COUNCIL

a) CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0224: A Resolution confirming the County Executive's appointment of Reverend Larry L. Macon, Sr. to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/4/2018, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0224 to the Human Resources, Appointments & Equity Committee.**

- 2) R2014-0225: A Resolution confirming the County Executive's appointment of Maureen Dee to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/5/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0225 to the Human Resources, Appointments & Equity Committee.**

- 3) R2014-0226: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for various terms each beginning 7/1/2014, and declaring the necessity that this Resolution become immediately effective:

- i) Reappointment for the term ending 6/30/2015:

- a) Michael T. Latkovich
- b) Sari Feldman
- c) Jay Carson

- ii) Appointment for the term ending 6/30/2016:

- a) Aaron Grossman

iii) Reappointment for the term ending 6/30/2016:

a) Daniel E. Berry

iv) Reappointment for the term ending 6/30/2017:

a) Gayle Thompkins Agahi

b) Lawrence Benders

c) Joseph A. Calabrese

d) Harriet Shaw Applegate

e) Bill Kitson

f) Kim M. Shelnik

v) Appointment of mandatory partner for an undetermined term:

a) David Merriman

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0226 to the Human Resources, Appointments & Equity Committee.**

- 4) R2014-0227: A Resolution confirming the County Executive's reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0227 to the Human Resources, Appointments & Equity Committee.**

- 5) R2014-0228: A Resolution adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

**Council President Connally referred Resolution No. R2014-0228 to the Human Resources, Appointments & Equity Committee.**

- 6) R2014-0229: A Resolution amending the Rules of Council, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Miller

**Council President Connally referred Resolution No. R2014-0229 to the Council Operations & Intergovernmental Relations Committee.**

**[Clerk's note: Item No. 15.a) was taken out of order and considered after Item No. 10.a)6].]**

- b) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2014-0217.**

- 1) R2014-0217: A Resolution approving and concurring with amendments made to the Northeast Ohio Areawide Coordinating Agency ("NOACA") Code of Regulations on 7/11/2014 as shown in NOACA Resolution Nos. 2014-033 and 2014-034, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Conwell and Germana

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

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2014-0217 was considered and adopted by unanimous vote.**

- c) CONSIDERATION OF ORDINANCES OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2014-0028: An Ordinance establishing the Cuyahoga County Archives Advisory Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Council President Connally

**Council President Connally referred Ordinance No. O2014-0028 to the Public Works, Procurement & Contracting Committee.**

- 2) O2014-0029: An Ordinance amending the Administrative Rules for the Cuyahoga County Personnel Review Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

**Council President Connally referred Ordinance No. O2014-0029 to the Human Resources, Appointments & Equity Committee.**

- d) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING

- 1) O2014-0021: An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding Sections 701.06 and 701.07 to establish guidelines for the County's investment policy and financial reporting requirements for Cuyahoga County.

Sponsor: Councilmember Miller

Committee Assignment and Chair: Finance & Budgeting – Miller

**Clerk Schmotzer read Ordinance No. O2014-0021 into the record.**

**This item will move to the October 14, 2014 Council meeting agenda for consideration for third reading adoption.**

- e) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE 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 Ordinance No. O2014-0022.**

- 1) O2014-0022: An Ordinance enacting the County Executive Transition Act, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Brady and Miller

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

**On a motion by Mr. Schron with a second by Mr. Miller, Ordinance No. O2014-0022 was considered and adopted by unanimous vote.**

f) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION

- 1) O2014-0016: An Ordinance amending Section 106.06 of the Cuyahoga County Code to establish copying costs for public records.

Sponsors: Councilmembers Miller, Conwell and Germana

**On a motion by Mr. Miller with a second by Mr. Germana, Ordinance No. O2014-0016 was considered and adopted by unanimous vote.**

11. LEGISLATION INTRODUCED BY EXECUTIVE

**In accordance with Rule 6B of the County Council Rules, a motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to add Resolution No. R2014-0237 to the agenda as an additional item under No. 11.a) for consideration for first reading adoption under suspension of rules.**

a) CONSIDERATION OF ~~A~~RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2014-0230 and R2014-0237.**

- 1) R2014-0230: 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. R2014-0230 by changing the funding source time period from “July 1, 2014 through June 30, 2014” to “July 1, 2014 through June 30, 2015” for Items O. and P. in Section 1.

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2014-0230 was considered and adopted by unanimous vote, as amended.

[Note: In accordance with Rule 6B of the County Council Rules, the following item was added to the agenda and read into the record by the Clerk of Council.]

**R2014-0237: A Resolution approving a proposed settlement in the matter of *Nancy Kovacic, et al. vs. Cuyahoga County Dept. of Children and Family Services, et al.*, United States District Court Case No. 1:05CV2746; authorizing the Law Director and/or his designee to execute the settlement and any related documentation; authorizing the appropriation of funds for payment of settlement amounts set forth herein; and declaring the necessity that this Resolution become immediately effective.**

**Sponsor: County Executive FitzGerald**

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2014-0237 was considered and adopted by unanimous vote.

b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) **R2014-0231: A Resolution making an award on RQ30137 to Hilton Supply Management, LLC in the amount not-to-exceed \$150,000.00 to arrange for the purchase, delivery and installation of certain operating supplies and equipment (“OS&E”) for use in the operation of the Hotel; authorizing Hilton Supply Management, LLC to act as the County’s agent to purchase OS&E in the amount not-to-exceed \$7,200,000.00 for use in the operation of the Hotel; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.**

Sponsor: County Executive FitzGerald/Department of Public Works

**Council President Connally referred Resolution No. R2014-0231 to the Public Works, Procurement & Contracting Committee.**

- 2) R2014-0232: A Resolution making an award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for the Jane Edna Hunter and Emergency Men's Shelter Roof Renovation Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

**Council President Connally referred Resolution No. R2014-0232 to the Public Works, Procurement & Contracting Committee.**

- 3) R2014-0233: A Resolution authorizing a revenue generating Utility Agreement with Village of Highland Hills for maintenance and repair of storm sewers, sanitary sewers and water lines 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

**Council President Connally referred Resolution No. R2014-0233 to the Public Works, Procurement & Contracting Committee.**

- 4) R2014-0234: A Resolution authorizing a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; 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 Children and Family Services and Councilmember Miller

**Council President Connally referred Resolution No. R2014-0234 to the Health, Human Services & Aging Committee.**

- 5) R2014-0235: A Resolution authorizing an amendment to Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting Point for out-of-school time and transition services for the Out-of-School Time Program for the period 9/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; 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.

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

**Council President Connally referred Resolution No. R2014-0235 to the Education, Environment & Sustainability Committee.**

- 6) R2014-0236: A Resolution authorizing a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

**Council President Connally referred Resolution No. R2014-0236 to the Education, Environment & Sustainability Committee.**

- c) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- 1) R2014-0212: A Resolution authorizing an agreement with City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System

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

**Clerk Schmotzer read Resolution No. R2014-0212 into the record.**

**This item will move to the October 14, 2014 Council meeting agenda for consideration for third reading adoption.**

- d) 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. R2014-0215, R2014-0220, R2014-0221, R2014-0222 and R2014-0223.**

- 1) R2014-0215: A Resolution authorizing an amendment to Contract No. CE1300411-01 with ResCare Workforce Services for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,449,279.00; 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.

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

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

**On a motion by Mr. Brady with a second by Mr. Germana, Resolution No. R2014-0215 was considered and adopted by unanimous vote.**

- 2) R2014-0220: 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

Committee Assignment and Chair: Committee of the Whole – Connally

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0220 was considered and adopted by unanimous vote.**

- 3) R2014-0221: A Resolution approving amendments to Amended and Restated Lease Agreement and Amended and Restated Sublease and Operating Agreement with Cuyahoga County Convention Facilities Development Corporation in connection with the Cleveland Convention Center and the Global Center for Health Innovation; 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.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

**On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2014-0221 was considered and adopted by majority vote, with Mr. Brady recusing himself from the vote as he is a member of the Board of Directors of the Cuyahoga County Convention Facilities Development Corporation.**

- 4) R2014-0222: A Resolution authorizing a revenue generating Utility Agreement with City of Highland Heights for maintenance and repair of storm sewers, sanitary sewers and

water lines located in County Sewer District No. 3; 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. Germana with a second by Mr. Schron, Resolution No. R2014-0222 was considered and adopted by unanimous vote.**

- 5) R2014-0223: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.

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. Germana, Resolution No. R2014-0223 was considered and adopted by unanimous vote.**

e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) R2014-0211: A Resolution making an award on RQ27440 to MCPc, Inc. in the amount not-to-exceed \$337,951.20 for wireless infrastructure analysis, hardware and installation services for the period 6/1/2014 - 12/31/2016; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Information Technology

**On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2014-0211 was considered and adopted by unanimous vote.**

f) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR THIRD READING AND REFERRAL TO COMMITTEE

- 1) R2014-0073: A Resolution authorizing a revenue generating Underlying Agreement with City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City Prisoners, effective 11/1/2014; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6<sup>th</sup> Floor, Cleveland; 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/County Sheriff and Councilmember Hairston

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

**Council President Connally referred Resolution No. R2014-0073 to the Public Safety & Justice Affairs Committee.**

12. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Greenspan reported that the Council Operations & Intergovernmental Relations Committee will meet on Monday, September 29, 2014 at 10:00 a.m.**

**Mr. Miller reported that the Finance & Budgeting Committee will tentatively meet on Monday, October 20, 2014 at 1:00 p.m.**

**Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, October 1, 2014 at 1:00 p.m.**

**Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, September 30, 2014 at 10:00 a.m.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, October 1, 2014 at 11:00 a.m.**

**Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, September 24, 2014 at 10:00 a.m. and on Wednesday, October 1, 2014 at 3:00 p.m.**

13. MISCELLANEOUS BUSINESS

**There was no miscellaneous business.**

14. PUBLIC COMMENT UNRELATED TO AGENDA

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

15. EXECUTIVE SESSION

- a) Pending or imminent litigation.

**[Clerk's note: Item No. 15.a) was taken out of order and considered after Item No. 10.a)6).]**

**A motion was made by Mr. Gallagher, seconded by Mr. Miller and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing pending or imminent litigation and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 5:18 p.m. The following Councilmembers were present: Hairston, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally. The following additional attendees were present: County Executive Edward FitzGerald; Director of Human Resources & Employment Counsel Elise Hara; Personnel Review Commission Administrator Rebecca Kopcienski; Staff Attorney Sara DeCaro; Manager of Employment Testing George Vaughan; Director of Law Majeed Makhoulf; Assistant Law Director Ed Morales; Assistant Law Director Robin Wilson; Assistant Law Director Ruchi Asher; Council Legislative Budget Advisor Trevor McAleer and Special Counsel Michael King. At 5:50 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the regular meeting.**

16. ADJOURNMENT

**With no further business to discuss, Council President Connally adjourned the meeting at 6:20 p.m., without objection.**

# *The County Executive & Cuyahoga County Council*

*The County Executive & the Council of Cuyahoga County, Ohio,  
wishes to proclaim October 2014 as:*

## *Breast Cancer Awareness Month in Cuyahoga County*

**WHEREAS,** *National Breast Cancer Awareness Month is an annual international health campaign organized by major breast cancer charities every October to increase awareness of the disease and to raise funds for research into its cause, prevention, diagnosis, treatment and cure; and*

**WHEREAS,** *National Breast Cancer Awareness Month was founded in 1985 with the goal of promoting mammography as the most effective weapon in the fight against breast cancer. In 1993, Evelyn Lauder, Senior Corporate Vice President of the Estée Lauder Companies founded The Breast Cancer Research Foundation and established the pink ribbon as its symbol. In the fall of 1991, the Susan G. Komen Foundation handed out pink ribbons to participants in its New York City race for breast cancer survivors; and*

**WHEREAS,** *National Breast Cancer Awareness Month is an opportunity to spread the word about steps that can be taken to detect breast cancer early. A variety of events around the world are organized in October, including walks and runs, and the pink illumination of landmark buildings.*

**NOW, THEREFORE, BE IT RESOLVED** *that the County Executive & the Council of Cuyahoga County, Ohio, do hereby proclaim, in conjunction with the State of Ohio **October 2014 Breast Cancer Awareness Month in Cuyahoga County.***



Edward FitzGerald  
Cuyahoga County Executive

  
C. Ellen Connally, Council President  
Cuyahoga County Council

# Cuyahoga County Council

The Council of Cuyahoga County, Ohio,  
wishes to proclaim October 2014 as:

## Bullying Prevention Month in Cuyahoga County

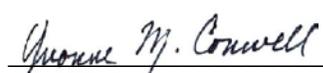
- WHEREAS,** *the Cuyahoga County Council recognizes that a safe learning environment is key to increasing student achievement and success; and*
- WHEREAS,** *the National Association of School Psychologists has indicated that bullying is the most common type of violence with 15-30 percent of students involved either as bullies or victims of bullying; and*
- WHEREAS,** *the National Center for Education Statistics cited that one in seven students in kindergarten through 12th grade was either a bully or a victim of bullying; and*
- WHEREAS,** *bullying involves the following three characteristics: 1) an imbalance of power, 2) intent to cause harm, and 3) repetition; and*
- WHEREAS,** *experts have categorized bullying as direct and indirect, with direct bullying being more often associated with boys and indirect bullying being more often associated with girls. Direct bullying involves shoving, slapping, punching, spitting and tripping while indirect bullying includes taunts, name-calling, threats, gossip/rumor-spreading, theft, cyber-bullying and ostracism; and*
- WHEREAS,** *the impact on victims of bullying is both physical and mental and is directly related to student achievement; and*
- WHEREAS,** *the General Assembly of the State of Ohio enacted HB 276 on December 29, 2006 which prohibits harassment, intimidation or bullying and expands in-service training in child abuse prevention that school districts and community schools must provide.*
- NOW, THEREFORE, BE IT RESOLVED** *that the Council of Cuyahoga County, Ohio, do hereby proclaim, October 2014 as Bullying Prevention Month in Cuyahoga County to promote awareness about the effects of bullying and to encourage the creation of policies and procedures, training, prevention programs and other initiatives to stop bullying.*



Dave Greenspan; District 1



Chuck Germana; District 4



Yvonne M. Conwell; District 7



Anthony T. Hairston; District 10



Dale Miller; District 2



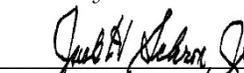
Michael J. Gallagher; District 5



Pernel Jones, Jr.; District 8



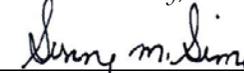
Dan Brady; District 3



Jack Shron; District 6



C. Ellen Connally; District 9



Sunny Simon; District 11

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0238

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive's appointment of Harriet Shaw Applegate to serve on the Cleveland-Cuyahoga County Port Authority Board of Directors for an unexpired term ending 1/28/2016, and declaring the necessity that this Resolution become immediately effective.
--	--

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 Cleveland-Cuyahoga County Port Authority Board of Directors was established in 1968 to manage maritime operations, and the Organization of the Board of Directors was created pursuant to the provisions of ORC 4582.03; and

WHEREAS, members of the Cleveland-Cuyahoga County Port Authority Board of Directors shall be appointed to serve a four (4) year term; and

WHEREAS, the individual appointed shall have a term commencing immediately upon signature of this Resolution and ending 1/28/2016;

WHEREAS, the County Executive has nominated Harriet Shaw Applegate to fill a vacancy in an unexpired term ending 1/28/2016 on the Cleveland-Cuyahoga County Port Authority 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 Harriet Shaw Applegate to fill a vacancy in an unexpired term ending 1/28/2016 on the Cleveland-Cuyahoga County Port Authority Board of Directors.

**SECTION 2.** 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 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

September 29, 2014

C. Ellen Connally, President  
Cuyahoga County Council  
Cuyahoga County Administration Building

Re: *Cleveland-Cuyahoga County Port Authority Board of Directors*

Dear President Connally:

Pursuant to Ohio Revised Code Section 4582.03, I submit for County Council's confirmation, the following nominee to serve on the Port Authority's Board of Directors:

- **Harriet Applegate, AFL-CIO Federation of Labor**

Ms. Applegate is well known to Cuyahoga County citizens due to her numerous civic engagements. She currently serves as the Executive Secretary of the North Shore AFL-CIO Federation of Labor, a position that she has held since 2007. She is the first woman to hold this position. In addition to advocating for the rights of working men and women, Ms. Applegate has been involved in other organizations including the City Club, the Community Partnership for Arts and Culture and the Workforce Investment Board. She has been a tireless advocate for the development of renewable jobs which is integral for the continued growth of this region. This background is well suited to service on the Port's Board of Directors.

While I am sure that Ms. Applegate is well known to all the members of County Council, I have attached some biographical information for your review. I ask that this nomination 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

## ***Harriet Shaw Applegate***

### **Education:**

1970 - B.A., History, University of Rochester  
1972 - M.A., History, University of Cincinnati.

### **Employment:**

University of Cincinnati  
Instructor, Department of History, 1977-78  
Ohio Public Interest Campaign, 1979-85  
Chair, Citizen/Labor Energy Coalition  
Coordinator, Cincinnati Right-to-Know Campaign  
Statewide Director, Toxic Action Project  
Cincinnati AFL-CIO Labor Council  
Director, Greater Cincinnati Occupational Health Center, 1985-98  
AFL-CIO Department of Field Mobilization  
Field Representative, NE Ohio, 1998-2003  
AFL-CIO Political Department  
National Representative, NE Ohio 2003-06.  
North Shore AFL-CIO Federation of Labor  
Executive Secretary, 07-present

### **Administrative Experience:**

Director, Greater Cincinnati Occupational Health Center, 1985-98  
Administered a \$250,000 annual budget, wrote grants, administered research grants & grants to teach Haz Mat classes, oversaw a medical practice which focused on occupational disease and winning workers compensation claims, organized and conducted medical screenings for asbestos and other lung toxins.  
Labor 2004 Zone Coordinator, Zone H (8)  
Directed the work of 80 paid staff & 350 volunteers; ran walks and phone banks in two locations (Akron & Canton) as well as coordinated Election Day operations in both cities. Stark County, Ohio's 'bellwether county' was the only county in Ohio to switch from red to blue in 2004.  
Executive Secretary, North Shore AFL-CIO Federation of Labor

### **Selected Community Service:**

Co-Chair with Rev. Fred Shuttlesworth, Cincinnati Movement for Human Rights, 1978-79.  
Member, Religion Labor Task Force, 1978-81.  
President, Cincinnati Women Working, 1980-82.  
Member, Cincinnati Environmental Advisory Council (City Mgr appointment), 1985-91.  
Board Member, EEO Advisory Board of Cincinnati (City Mgr appointment), 1991-93.  
Vice-Chair, Cincinnati Civic Renewal Initiative, 1997-98.  
Board Chair, United Labor Agency, 2007-present  
Board member, Hard Hatted Women, 2009-present  
Executive Board member, United Way, 2007-present  
Co Chair, Jobs with Justice, 2007-present  
Member, Cuyahoga County Economic Development Commission, 2011

### **Publications & Papers:**

H. Applegate, ed. Toxic Substances in the Workplace, A Cincinnati Profile. Issued by ORVCOSH, 1981.  
H. Applegate, ed. The Chonicle, Cincinnati Labor Council monthly publication, 1983-91.  
H. Applegate et al. The Cincinnati Right-to-Know Law: Use it & Make a Difference: Worker Manual, 1983; Technical Manual, 1983.  
H. Genzer, M. Cherniak, H. Applegate, J. Osterman. Report & Recommendations on Hazardous Waste. Issued by the Environmental Advisory Council for the City of Cincinnati, 1986.  
H. Applegate, C. Reh. Asbestos & Your Health: A GCOHC Educational Pamphlet. 1988.  
H. Applegate, et al. "What Role Can a Labor-Management Committee Play in Reducing Ergonomic Risks to Carpenters?" Paper presented at the American Public Health Assn., 1996.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0239

Sponsored by: <b>Councilmembers Conwell and Miller on behalf of Personnel Review Commission</b>	<b>A Resolution</b> amending the 2014/2015 Biennial Operating Budget for 2014 by providing for an additional fiscal appropriation from the General Fund in order to meet the budgetary needs of a County department, and declaring the necessity that this Resolution become immediately effective.
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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 provide an additional appropriation to provide funding for the Personnel Review Commission to hire two (2) Employment Testing Specialists; and

WHEREAS, the Personnel Review Commission's plan is to centralize civil service testing with the two (2) Employment Testing Specialists; and

WHEREAS, the County Council will consider an appropriation for funding the two (2) Employment Testing Specialists in 2015 during the 2014/2015 biennial budget update process; 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 a County department.

**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 increase:

**Fund Nos./Budget Accounts**

A.	01A001 – General Fund	HC019018 – Personnel Review Commission	Personal Services	\$	26,333.94
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Funding Source: Funding for two (2) employment testing specialists is from the General Fund.

**SECTION 2.** The additional appropriation provided in Section 1, Item A is for the purpose of providing funding to the Personnel Review Commission to hire two (2) employment testing specialists.

**SECTION 3.** That the County Council hereby directs the Clerk of Council to transmit a certified copy of this Resolution to the Director of the Office of Budget and Management and authorizes the County's Office of Budget and Management to carry out the necessary steps in order to provide the additional appropriation(s) in Section 1.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



Kathleen K. Walsh, Commissioner  
Thomas L. Colaluca, Commissioner  
Robert M. Wolff, Commissioner

September 16, 2014

Mr. W. Christopher Murray, II, Interim Director  
Office of Budget and Management  
Cuyahoga County Administrative Headquarters  
2079 East 9th Street  
Cleveland, OH 44115

Dear Mr. Murray,

The Personnel Review Commission (PRC) respectfully requests additional funding of \$26,333.94 to hire two (2) Employment Testing Specialists to work with our Manager of Employment Testing. The purpose of this position is to perform duties related to centralized development, validation and administration of civil service pre-employment testing for the County's classified positions.

In 2013, the PRC developed a strategic plan to fulfill our responsibilities under the County Charter. At that time, we identified centralized civil service testing as a main priority and began drafting Administrative Rules to govern testing; these are currently before County Council. While we were not able to fully articulate our staffing needs for this operation when we presented our 2014-2015 budget request, we hired a Manager of Employment Testing in May who has worked diligently to define our staffing needs, based on dialogue he's had with Human Resources and the County's hiring managers.

We are presenting our request at this time so that we can have funds in place to begin hiring for this position as soon as our proposed Rules are approved by County Council. The additional staff will allow us to begin to address the needs of the County's hiring managers to fill vacancies in the County's classified service which covers over 400 classifications.

Our estimated salaries for the Employment Testing Specialists are based on both internal and external pay considerations. The Archer Company conducted a point-factor evaluation of the compensable factors for the position which was used to assign it to a pay range; this pay range was supported by research comparable positions in the relative labor market.

Our Fiscal support team, in the form of Beth Supan and Sybil Haney, have assisted in preparing the attached request for additional appropriations, based on the internal and external salary considerations. I will be happy to answer any questions you may have about this request, and can provide additional documentation if necessary.

Respectfully,

  
Rebecca Kopcienski, Administrator

Attachment

# ADDITIONAL APPROPRIATIONS

**BA14** Document Amount \$ 26,333.94 Lines 1

LINE	DECREASE	DESCRIPTION	INDEX CODE	SUB/OBJ	GRANT/DETAIL	PROJ/USER	AMOUNT	FUND/ SUBFUND
1		INCREASE	HC01918	0030			\$ 19,078.40	01A/001
			HC01918	0152			\$ 4,307.92	01A/001
			HC01918	0155			\$ 2,670.98	01A/001
			HC01918	0157			\$ 276.64	01A/001

**DESCRIPTION**  
 Increase appropriation to personal and personal benefits in the Personnel Review Commission budget for the addition of two (2) Employment Testing Specialists (new positions) for the last 4 pay periods of 2014

**REQUESTED BY:** Beth Supanb, OBM, on behalf of Rebecca Kopcienski, PRC  
**BOARD ACTION REQUIRED:** YES  
**DATE:** 9/17/2014

Note maximum 26 lines per document

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0227

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive's reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, Ohio Revised Code Section 307.51 provides for the organization and operation of a county law library resources board; and

WHEREAS, Ohio Revised Code Section 307.511 provides for the composition, including appointment and terms, of the law library resources board members; and

WHEREAS, the Cuyahoga County Law Library Resources Board was established to oversee services to the local judiciary, elected officials in Cuyahoga County, members of the Ohio General Assembly and to provide a venue for public access; and

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

WHEREAS, the County Executive has nominated Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019; and

WHEREAS, members of the Cuyahoga County Law Library Resources Board shall be appointed to serve a 5 year term; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby confirms the reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019.

**SECTION 2.** 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 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: September 23, 2014

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

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0228

Sponsored by: <b>Councilmembers Connally and Conwell on behalf of Personnel Review Commission</b>	<b>A Resolution</b> adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.
---	--

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 2.01 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinance Nos. O2011-0015, O2011-0028, O2011-0043, O2011-0061, O2011-0042 and O2013-0003) 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 Personnel Review Commission submitted several proposed changes to the Cuyahoga County Non-Bargaining Classification Plan; and

WHEREAS, the Personnel Review 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 September 10, 2014, the Personnel Review Commission met and recommended the classification changes (attached hereto as Exhibit A), and recommended 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:

New Classification: (See Attached Classification Specification)

Exhibit A:    Class Title:    *Employment Testing Specialist*  
                  Number:        1081111  
                  FLSA Status:    E  
                  Pay Grade:      12

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 23, 2014  
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal \_\_\_\_\_  
\_\_\_\_\_, 2014

## CUYAHOGA COUNTY CLASSIFICATION SPECIFICATION

<b>Class Title:</b>	Employment Testing Specialist	<b>Class Number:</b>	1081111
<b>FLSA:</b>	Exempt	<b>Pay Grade:</b>	12
<b>Departments:</b>	Personnel Review Commission, only		

### Classification Function

The purpose of this classification is to develop valid and reliable testing solutions for employment positions throughout the County.

### 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.

- 50% +/- 5%
- Develops employment tests for positions requiring testing (e.g., identifies major content areas for testing; develops test plans according to job analysis results; investigates alternative selection procedures; constructs test content according to legal guidelines and professional standards; links test content to the content of the job; maintains confidentiality, security, and trade secret of all testing documents and materials).
- 20% +/- 5%
- Performs job analysis for positions requiring testing (e.g., reviews all available job analysis material; conducts individual and/or group interviews/observations; develops and administers questionnaires and surveys; identifies major work behaviors and underlying knowledge, skills, and abilities (KSAs); links KSAs to major work behaviors; synthesizes data and develops position descriptions).
- 10% +/- 5%
- Reviews and revises testing practices and procedures (e.g., ensures practices/procedures meet legal guidelines and professional standards; identifies problems; develops and implements solutions).
- 5% +/- 2%
- Serves as a liaison between the Personnel Review Commission and department directors/hiring managers (e.g., meets with directors/hiring managers to determine their testing needs; gives advice on testing options; provides status updates and test results).
- 10% +/- 5%
- Performs scoring, statistical analysis, and reporting of test results (e.g., conducts cut score and weighting studies; conducts statistical analysis at the test and item level; documents and reports validity evidence in support of the test).
- 5% +/- 2%
- Leads or assists test administrations (e.g., assesses requests for reasonable accommodations; develops and uses standard administration manuals; monitors administrations).

### Minimum Training and Experience Required to Perform Essential Job Functions

A Master's degree in Industrial/Organizational Psychology; or any equivalent combination of training and experience.

**Additional Requirements**

No special professional 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, video camera, audio recorder, telephone, calculator, overhead projector, photocopier, Scantron scoring machine, etc.

**Mathematical Ability**

- Ability to add, subtract, multiply, and divide; calculate decimals and percentages; and calculate means, standard deviations, correlations, reliability coefficients, item-level probabilities, and similar statistical functions, as well as their correct use and interpretation.

**Language Ability & Interpersonal Communication**

- Ability to comprehend and apply a variety of legal guidelines and professional standards relevant to the field of Industrial/Organizational Psychology, particularly the area of test development and validation. Requires sufficient understanding to determine best course of action, define consequences of actions, and assess the quality of alternative procedures.
- Ability to write test content that is clear, understandable, internally consistent, and relevant.
- Ability to prepare test documents, position descriptions, scoring reports and analyses, validation reports, test administration manuals, practice/procedure manuals, and other job-related documents using prescribed format and conforming to all rules of punctuation, grammar, diction, and style.
- Ability to follow necessary procedures to ensure the fairness, confidentiality, security, and trade secret of all testing procedures, documents, and materials.
- Ability to evaluate and improve practices and procedures according to guidelines, standards, and goals.
- Ability to communicate effectively with subject matter experts, department directors, and hiring managers on testing needs, procedures, and guidelines/standards; ability to communicate effectively with the general public to ensure test procedures are understood and followed.
- Ability to use and interpret legal and professional terminology and language relevant to Industrial/Organizational Psychology, particularly the area of test development and validation.

**Environmental Adaptability**

- Work is typically performed in an office environment, and Incumbent will occasionally need to travel to other County offices and worksites and is expected to be able to do so in a timely manner.

*Cuyahoga County is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, the County will provide reasonable accommodations to individuals with disabilities and encourages both prospective employees and incumbents to discuss potential accommodations with the employer.*

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0229

Sponsored by: <b>Councilmember Miller</b>	<b>A Resolution</b> amending the Rules of Council, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, Article III, Section 3.10(2) of the Cuyahoga County Charter provides that County Council shall adopt its own rules; and

WHEREAS, County Council originally adopted its rules pursuant to Motion No. M2011-0007 on April 26, 2011; and,

WHEREAS, such rules have been subsequently amended by Motion Nos. M2011-0017, M2012-0004, M2012-0030, and M2013-0021; and

WHEREAS, Council has determined it is necessary to make various technical revisions to the Rules of Council in accordance with the adoption of the Cuyahoga County Code, the County's adoption of a biennial budget process, and the adoption of various other amendments to the Cuyahoga County Charter; 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 amended Rules of Council attached as Exhibit A to this Resolution.

**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.



# **Cuyahoga County Rules of Council**



## **Cuyahoga County Council Council Operations & Intergovernmental Relations Committee**

**Dave Greenspan, Chair**

**Dale Miller, Vice Chair**

**Dan Brady**

**C. Ellen Connally**

**Michael Gallagher**

**Approved April 26, 2011**

**Amended May 8, 2012**

**Amended January 22, 2013**

**Amended July 9, 2013**

**Amended \_\_\_\_\_, 2014**

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**Article I. Rules of the Cuyahoga County Council**

Proposed to be adopted as the Permanent Rules of Cuyahoga County Council.

**Article II. Council Rules Adopted**

The following "Rules of the Cuyahoga County Council" are hereby adopted for the fair, orderly, open, and ethical conduct of business by the County Council. These rules shall be posted on the County's website and shall be available as a public record.

**Article III. Definitions**

Section 1. "Adopted" or "adoption" means approval of legislation by Council after three (3) or more readings or after dispensing with the requirement of three (3) readings.

Section 2. "Adjourned session" means a meeting that has concluded, but prior to the conclusion of the meeting the time and date for another meeting to continue the business of the meeting has been set.

Section 3. "Agenda" means a list of all ordinances, resolutions, motions, and reports to be considered by Council at a regular or special meeting that is prepared by the Clerk of Council in written form prior to the meeting, or a similar list of matters to be considered at a Council committee meeting.

Section 4. "Charter" means the Charter of Cuyahoga County, adopted by the electors of Cuyahoga County at the general election on November 3, 2009, as amended.

Section 5. "Clerk" means the Clerk of Council.

Section 6. "County" means Cuyahoga County.

Section 7. "Enacted" or "enactment" means, with respect to legislation, adoption by Council and approval by the Executive within ten (10) days after presentation by the Clerk; or adoption by Council and the expiration of ten (10) days without approval or veto by the Executive; or approval by the vote of at least eight (8) Members of Council upon reconsideration after disapproval by the Executive as provided by the Charter.

Section 8. "Executive" means the County Executive of Cuyahoga County as provided in Article 2 of the Charter.

Section 9. "Executive Session" means a meeting of Council or a Committee of Council not open to the public held according to ORC Section 121.22, as amended.

Section 10. "Record of Council" means the permanent record, maintained by the Clerk, of the agenda, minutes, reports, legislation adopted, and motions approved by the County Council and its committees.

Section 11. "Legislation" means any ordinance or resolution, ~~including a Motion of Council or Ceremonial Resolution,~~ submitted to the Council for consideration. Legislation shall be designated as an "ordinance" if it is of a general and permanent nature and as a "resolution" if it is of a temporary nature or does not prescribe any permanent rules of conduct and/or expression of legislative intent.

Section 12. "Matters" mean all legislation, parliamentary motions, agenda items, and requests to address Council.

Section 13. "Meeting" means any prearranged discussion of public business by a majority of the Members of Council or by a majority of the Members of any Council committee.

Section 14. "Member" means a Member of the County Council, as provided in Article 3 of the Charter, unless the context clearly indicates otherwise.

~~Section 15. "Motion of Council" means a form of resolution which proposes action by the Council that is not of a general nature and is not subject to veto by the Executive.~~

Section ~~156~~. "Organizational Meeting" means the Regular Council Meeting which occurs on the first business day of each year that immediately follows the year during which elections are held for the office of Member of County Council.

Section ~~167~~. "Parliamentary Motion" means a proposal made in a meeting of Council or a Committee of Council in accordance with the Rules of Council to expedite or control deliberations and the transaction of business.

Section ~~178~~. "Presiding officer" means the President for a meeting of Council and the Chairperson for a committee.

Section ~~189~~. "Regular Council Meeting" means a prearranged meeting of the County Council scheduled pursuant to a ~~Resolution~~~~Motion of Council~~ approved to set or amend the Council calendar for each ~~biennium~~~~year~~.

Section ~~1920~~. "Special Council Meeting" means a meeting of Council that is neither a Regular Council Meeting, nor the resumption of a Regular or Special Council Meeting that had been adjourned to another time or day and time.

## **Article IV. Rules**

### **Rule 1. Members of Council**

#### Rule 1A: Member Conduct

Members shall at all times conduct themselves with courtesy and respect for their fellow officeholders, the Executive and members of the administration, county employees, and the public, and shall discharge their duties in accordance with the high public trust placed in them.

#### Rule 1B: Members to Provide Contact Information

Upon taking office, each Member shall provide the clerk contact information including business and residential address, office, facsimile, home and cellular telephone number(s) and email address(es). Based on the information provided, the Member shall designate primary contact information to which notices shall be sent.

#### Rule 1C: Council Vacancy

If a vacancy occurs in the position of any Member and it becomes the responsibility of Council to fill that vacancy according to Article 3, Section 5 or 6 of the Charter, the Council shall fill the vacancy by adoption of a ~~resolution~~**Motion of Council** within the 30-day time limit set by the Charter.

#### Rule 1D: Proclamations and Letters of Commendation and Condolence

The President may, on the request of any Member, sign proclamations or letters of commendation or condolence on behalf of the Council. Such proclamations or letters shall include the signatures of the President and the sponsoring Member(s).

### **Rule 2. Officers of Council**

#### Rule 2A: Organizational Meeting

On the first business day of each year following a general election for Members of Council, the Council shall conduct an Organizational Meeting, at which it shall elect one of its Members as President and one other Member as Vice-President, in accordance with Article 3, Section 10 Subsection 1 of the Charter, to serve until their successors are chosen at the next organizational meeting of Council.

#### Rule 2B: Clerk's Role at Organizational Meeting

The Clerk shall preside over the Organizational Meeting until the President is chosen, after which the President shall preside over the remainder of the Organizational Meeting.

#### Rule 2C: Process for Election of Council Leadership

The President and Vice-President shall be elected at the Organizational Meeting as follows:

- (1) Any Member may nominate themselves or another Member, and a second shall not be required.
- (2) After all nominations for President have been made, the Clerk shall call the roll, and each Member shall vote for one candidate.
- (3) A Member must receive at least six (6) votes for election. If no Member receives six (6) votes and one candidate receives the fewest number of votes, the candidate receiving the fewest number of votes shall be eliminated and the voting process shall be repeated. If two or more candidates are tied for the least number of votes, then no candidates shall be eliminated, and the voting process shall be repeated. If no candidate receives six (6) votes in the second round, the process described above shall be repeated until a candidate is elected.
- (4) After the election of the President, the Vice-President shall be elected in the same manner.

#### Rule 2D: Duties of President of Council

The President shall preside at all meetings of Council and shall perform all duties as specified in the Charter, the ~~Cuyahoga County Code~~~~Codified Ordinances of Cuyahoga County~~, these Council Rules, or by ~~resolution of Council~~~~Motion of Council~~. The President may appoint any Member to preside at any meeting of Council, but such appointment shall not extend beyond the duration of that meeting.

#### Rule 2E: Duties of Vice-President of Council

The Vice-President shall preside in the absence or disability of the President at all meetings of Council, shall perform all the duties of the President during such absence or disability, and shall perform all other duties as set forth in the Charter, the ~~Cuyahoga County Code~~~~Codified Ordinances of Cuyahoga County~~, these Council rules, or by ~~resolution of Council~~~~Motion of Council~~.

#### Rule 2F: Absence or Disability of President and Vice-President

In the absence or disability of both the President and Vice-President, the Member with the most seniority shall serve as President Pro-Tem and perform all the duties of the President during such absence or disability. If no one Member has the most seniority, the Clerk shall conduct an election for President Pro-Tem, with all Members being eligible, using the procedure set forth in Rule 2C, except that a majority of those voting shall be sufficient for election.

#### Rule 2G: Council Officer Vacancy

If a vacancy occurs in the office of President, the Vice-President shall become President. Not later than the second regular meeting after the vacancy occurs, the

President shall conduct an election for Vice-President, following the procedure set forth in Rule 2C. The same election procedures shall be followed if a vacancy occurs in the office of Vice-President.

Rule 2H: Council Officers Entitled to Vote

The President and Vice-President shall be entitled to vote on all matters.

**Rule 3. Council Personnel**

Rule 3A: Chief of Staff

The Council shall appoint and set the compensation for a Chief of Staff, who shall have the following duties:

- (1) Advise and assist Council on a broad range of initiatives, including organizational strategy, priorities, and efficiency and effectiveness of Council as well as all operations, providing leadership and strategy for staff and Council.
- (2) Manage all Council operations, including policy, budget, constituent and other council services, communications and Clerk of Council.
- (3) Serve as primary liaison between administration and Council as well as external entities and coordinate all internal and external communication, at times acting as spokesperson for Council.
- (4) Supervise all Council staff, including the Clerk of Council, with authority to set duties and compensation after initial hire, and to evaluate and discipline staff, up to and including termination. The Chief of Staff shall notify Council of any changes in compensation and any decision to terminate a staff member. Council may override any decision by the Chief of Staff to change the compensation or terminate a staff member by ~~resolution~~Motion introduced within the next two Council meetings following the notification from the Chief of Staff.
- (5) Any other duties as assigned by the Council President

The President of Council is authorized to evaluate and may discipline the Chief of Staff, up to but not including termination. Council may terminate the services of the Chief of Staff ~~by resolution~~upon Motion.

(Amended on 7/9/2013 by Motion No. M2013-0021)

Rule 3B: Clerk of Council

The Council shall appoint and set the initial and compensation for a Clerk of Council, who shall have the following duties:

- (1) Attend meetings of Council, determine quorums, record the proceedings and the votes of each Member, and keep the minutes of the proceedings;
- (2) Provide notices as required by the Charter, general law, and these Council Rules;
- (3) Accept, record, and compile proposed legislation for inclusion in the agenda of Council;
- (4) Deliver all adopted legislation to the Executive;
- (5) Deliver proposed legislation to the Committee Chairs;
- (6) Accept and provide to the President requests to address Council;
- (7) Publish all legislation as required by these Council Rules;
- (8) Publish the Record of Council;
- (9) Conduct the election of the President of Council;
- (10) Attend Council Committee meetings in person or by designee, determine quorums, record the proceedings and the votes of each member, keep the minutes of the proceedings, and accept and provide the Chairperson requests to address the Committee;
- (11) Any other duties that the Council or the Chief of Staff determines are necessary for the performance of Council's duties.

(Amended on 7/9/2013 by Motion No. M2013-0021)

#### Rule 3C: Other Council Personnel

- (1) The Council shall, by appropriate legislation, determine the initial job titles, compensation and duties of full or part-time staff as are needed to properly perform the duties of Council as set forth in the Charter; and in so doing, Council shall reference the classification and salary administration system as established by ordinance and administered by the Personnel Review~~Human Resources~~ Commission. All Council personnel, including the Chief of Staff and Clerk of Council, shall be eligible to participate in cost of living increases and merit pay programs approved for non-bargaining employees of the County.
- (2) The Chief of Staff shall be authorized to make recommendations to the appropriate contracting authority concerning the compensation and duties of other personnel, such as contractors or professional experts or other consultants on a retainer or contract basis, as are needed to properly perform the duties of Council as set forth in the Charter.

(Amended on 7/9/2013 by Motion No. M2013-0021)

#### **Rule 4. Quorum of Council**

##### **Rule 4A: Quorum Defined**

A quorum of Council shall consist of six (6) Members, which shall constitute the number of Members required to transact any business that does not require a larger number of Members, as specified in the Charter and/or these Council Rules.

##### **Rule 4B: Clerk to Determine Quorum**

The Clerk shall determine the presence of a quorum by roll call at the beginning of each Council meeting, shall announce that a quorum is present, and shall keep a record of Members present.

##### **Rule 4C: Absence of Quorum**

A Member may at any time raise a point of order and request the President to determine whether a quorum is present. The President shall then direct the Clerk to call the roll of Members. If a quorum is not present, the Council may not conduct any business until a quorum is restored, except to adjourn, fix a date and time to which to adjourn, or take any other action permitted in the absence of a quorum, as provided in Robert's Rules of Order, Newly Revised.

#### **Rule 5. Meetings of Council**

##### **Rule 5A: Schedule of Regular Council Meetings**

At each Organizational Meeting, the Council, by ~~resolution~~~~Motion of Council~~, shall establish a schedule of the dates, times, and locations of all Regular Council meetings for the following two years.

##### **Rule 5B: Regular Place and Times for Council Meetings**

All meetings of Council shall take place at the County Council Chambers on the ~~fourth~~~~first~~ floor of the ~~Cuyahoga County Administrative Headquarters~~~~Justice Center~~ at ~~2079 East 9<sup>th</sup> Street~~~~1200 Ontario Avenue~~, Cleveland, Ohio ~~44115~~~~44113~~, unless otherwise specified. Regular Council Meetings shall take place on the 2nd and 4th Tuesday of each month at ~~5:00~~~~6:00~~ PM, unless otherwise specified in the ~~biennial~~~~annual~~ schedule established by the Council.

##### **Rule 5C: Procedure and Notice for Change of Council Meeting Schedule**

(1) The Council may, by ~~resolution~~~~Motion of Council~~, change the date, time, or place of any Regular Council Meeting or cancel any Regular Council Meeting; however, the Council shall provide at least three (3) days' notice in rescheduling any Regular Council Meeting. In an emergency, the President may cancel and/or

reschedule a Regular Council Meeting. Notice of any rescheduled Regular Meeting of Council shall be promptly given to all Members, posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

(2) When any changes are made to the Council's ~~biennial~~ annual schedule, the Clerk shall promptly update the biennial schedule on the County's website. The Clerk shall also provide a copy of the current biennial schedule of Council meetings to any member of the public upon request.

#### Rule 5D: Notice Required for Adjourned Meeting of Council

The Council may adjourn any meeting to a time and place certain. Notice shall be given to any Members not in attendance at the meeting so adjourned, not later than the third business day prior to the meeting of the adjourned session or as soon as practicable if such adjournment is for a time less than four (4) days. Notice of the adjourned session shall at the same time also be posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

#### Rule 5E: Special Council Meetings

A Special Council Meeting may be called by the President upon notification to the Clerk or by any five (5) Members, upon delivery to the Clerk of a written request, specifying the date, time, location, and purpose of such meeting, along with the titles of any legislation to be discussed. At a Special Council Meeting called by five (5) Members, only matters specified in the request may be considered. All Special Council Meetings shall follow all rules regarding open meetings and public notice that apply to Regular Council Meetings.

#### Rule 5F: Notice Required for Special Council Meeting

Notice of the date, time, location, and agenda for any Special Council Meeting shall be given to all Members not later than twenty-four (24) hours prior to the time of such meeting and shall at the same time be posted on the County's website, posted at the Clerk's Office, and distributed to the news media that have requested this information.

#### Rule 5G: Digital Record of Council Meetings Required

All meetings of Council shall be audiotaped and/or videotaped, and these recordings shall be preserved by the Clerk as public records.

#### Rule 5H: Absence of Members

Members are expected to attend all Regular Council Meetings. Not later than the second Regular Council Meeting following a meeting at which a Member is absent, the Council may vote to excuse that member's absence. Absences may be excused by parliamentary motion. The Clerk shall record the presence or absence of each Member at each Council Meeting, and shall record which absences are excused. As

provided in Article 12, Section 3 of the Charter, any Member who is absent from three consecutive Regular Council Meetings, without being excused by Council, shall forfeit his/her office in the Council.

#### Rule 5I: Council Meeting Agenda

The Clerk, with the approval of the President shall prepare the agenda for each Council meeting. The agenda shall include ~~proclamations~~, ordinances, resolutions, ~~Motions of Council~~, messages from the Council President, messages from the Executive, committee reports, and other business to be considered, arranged in order as provided for in Rule 6A.

#### Rule 5J: Publication of Agenda for Council Meetings

Not later than the close of business on the second business day prior to any Council meeting, the Clerk shall post the agenda for the meeting and supporting information from the packets of information prepared for Council on the County's website and include the same information in the Record of Council, and the Clerk shall post the agenda at the Clerk's office.

#### Rule 5K: Council Member Packets

Not later than the close of business on the second business day prior to any meeting of Council, the Clerk shall provide each Member with a packet providing background information on the matters expecting to come before Council at the next meeting and containing the draft minutes of the previous meeting. The packets may be provided in an electronic format.

#### Rule 5L: Deadline for Submission of Items for Council Agenda

All items requested to be placed on the agenda for introduction at any Regular Council Meeting shall be submitted to the Clerk in the final form that they will be submitted to Council no later than the close of business on the fifth (5th) business day prior to the Regular Council Meeting. Exceptions to this deadline may be made with the approval of the President and the Clerk.

### **Rule 6. Order of Business**

#### Rule 6A: Order of Business

The business of Council shall be conducted in the following order:

- (1) Call meeting to order
- (2) Roll Call
- (3) The Pledge of Allegiance to the flag of the United States of America
- (4) Silent meditation

- (5) Public comment relating to today's agenda
  - (6) Approval of minutes
  - (7) Messages from the Council President~~Executive~~
  - (8) Messages from the Executive~~Consideration of Ceremonial Resolutions~~
  - ~~(9) Consideration of Motions of Council~~
  - ~~(910)~~ First reading of legislation by title
  - ~~(1011)~~ Consideration of legislation~~motions~~ for first reading adoption under suspension of rules
  - ~~(1112)~~ Committee reports and second reading of legislation by title
  - ~~(1213)~~ Consideration of legislation~~motions~~ for second reading adoption under suspension of rules
  - ~~(1314)~~ Consideration of legislation being read by title for the third time or more
  - ~~(1415)~~ Report by Clerk on legislation withdrawn at request of sponsor(s)
  - ~~(1516)~~ Miscellaneous committee reports
  - ~~(1617)~~ Miscellaneous business
  - ~~(1718)~~ Public comment not relating to today's agenda
  - (18) Legislation or other matters requiring Executive Session
  - (19) Adjournment of meeting
- (Amended 5/8/2012 by Motion No. M2012-0004)

**Rule 6B: Council Authority to Determine Agenda**

The Council may, by adoption of a parliamentary motion, change the order of business or add items to or delete items from the order of business at any meeting of Council. Rule 6A shall not apply to an Organizational Meeting of Council, at which the Council shall adopt its own order of business and agenda by parliamentary motion.

**Rule 7. Actions of Council**

Rule 7A: Types of Council Action

The Council may take action only through ordinances, resolutions, ~~Ceremonial Resolutions, Motions of Council,~~ and parliamentary motions.

Rule 7B: Ordinances

- (1) An ordinance shall provide for matters of a general and permanent nature.
- (2) The heading of an ordinance shall be as follows:

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

Ordinance No. \_\_\_\_\_

Sponsored by \_\_\_\_\_

- (3) Each ordinance shall contain only one subject. The title shall be a succinct summary of the subject and purpose of the ordinance. Legislation amending existing law shall also be noted as such in the title.
- (4) The Clerk shall assign a number to each ordinance, which shall indicate the year of introduction, and the number of the ordinance within that year.
- (5) The ordinance shall state the sponsor and any cosponsors. Two or more Members may jointly sponsor an ordinance.
- (6) The enacting clause shall read, "Be it enacted by the County Council of Cuyahoga County, Ohio:"

Rule 7C: Resolutions

- (1) A resolution proposes legislative action that does not involve permanent changes in law.
- (2) The heading for a resolution shall be as follows:

COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO

Resolution No. \_\_\_\_\_

Sponsored by: \_\_\_\_\_

- (3) Each resolution shall contain only one subject. The title shall be a succinct summary of the subject and purpose of the resolution.
- (4) The Clerk shall assign a number to each resolution, which shall indicate the year of introduction and the number of the resolution within that year.
- (5) The resolution shall state the sponsor and any cosponsors. Two or more Members may jointly sponsor a resolution.

(6) The resolution shall contain statements of support, followed by a resolution clause that reads, "Be it resolved by the County Council of Cuyahoga County, Ohio, that..."

~~Rule 7D: Ceremonial Resolutions~~

~~(1) Ceremonial resolutions are acknowledgements, generally of congratulation or condolence, to recognize a noteworthy event or person.~~

~~(2) Ceremonial resolutions shall be adopted in the same manner as other resolutions.~~

~~Rule 7E: Motions of Council~~

~~(1) Any non-legislative power of the County Council or actions not subject to Executive veto, other than Ceremonial Resolutions, may be exercised by adoption of a resolution in the form of a Motion of Council. These powers include, but are not limited to:~~

~~(A) Organization and administration of the Council.~~

~~(B) Confirmation or rejection of appointments proposed by the Executive.~~

~~(C) Actions necessary to exercise Council's oversight authority, pursuant to Article 3, Section 9, Subsection 10 and Article 3, Section 12 of the Charter.~~

~~(D) Actions expressing the sentiment of Council on a public issue.~~

~~(2) All approved Motions of Council shall be in written form, provide the full text of the motion, indicate the name(s) of the Member(s) who made the motion and the date of approval by Council, and shall be signed by the President and Clerk.~~

~~(3) A Motion of Council shall be adopted in the same way as other resolutions.~~

~~(4) The Clerk shall assign a number to all Motions of Council, and they shall be posted on the County's website and shall be kept in the Record of Council.~~

Rule 7DF: Parliamentary Motions

Actions of a procedural nature, including to excuse the absence of a member, may be approved by passage of the appropriate parliamentary motion.

Rule 7EG: Sponsorship

Council member(s) and/or the Executive introducing legislation for consideration by Council shall be listed as sponsors of the legislation. At any point prior to final passage of legislation in Council, any sponsor may withdraw his/her name as a sponsor by notifying the Clerk.

At any point after the initial introduction of legislation for consideration by Council and prior to the final passage of legislation in Council, any Member may add or withdraw his/her name as a cosponsor by notifying the Clerk.

(Amended 1/22/2013 by Motion No. M2012-0030)

## **Rule 8. Decorum**

### **Rule 8A: Visual Demonstrations Prohibited**

No posters, placards, banners or signs shall be carried into Council Chambers or into any committee meeting.

### **Rule 8B: Respectful Presence**

Any applause, outburst, or demonstration during any Council or committee meeting shall be permitted only when respectful toward all persons present and not disruptive of the proceedings at the meeting.

### **Rule 8C: Audible Communication Devices Prohibited**

No use of any audible wireless communication device shall be permitted during Council or committee meetings.

### **Rule 8D: Filming, Taping, and Recording**

No one may film, tape, or record any meeting of Council or a committee meeting in a way that disrupts or significantly interferes with the conduct of the meeting. Anyone who intends to film, tape, or record any meeting of Council or a committee meeting is requested to ~~verbally inform the Clerk prior to the meeting, register with the Clerk prior to the meeting on a written form that will be provided for this purpose. The Clerk shall set up a process for those who intend to film, tape, or record on a regular basis to provide a single registration, which shall be effective until the next Organizational Meeting of Council.~~

## **Rule 9. Parliamentary Procedure**

### **Rule 9A: Parliamentary Procedure Manual**

The parliamentary guide for procedural issues not covered in these Council Rules shall be Robert's Rules of Order, Newly Revised.

### **Rule 9B: Presiding Officer to Direct Meetings**

All discussion in Council and committee shall go through the presiding officer, who shall control the order of speakers and shall put motions offered by Members before the Council or committee for consideration and action.

### **Rule 9C: Reading of Legislation**

Legislation shall be read by title only. When multiple items of a very similar nature are to be read in succession, the President may direct the Clerk to read them using abbreviated titles.

#### Rule 9D: Three Readings Required

All legislation shall be read on three (3) separate days at regular Council meetings, unless this requirement is dispensed with by the affirmative vote of seven (7) Members of Council, as provided in Article 3, Section 10, Subsection 4 of the Charter. A motion to dispense with the requirement that legislation be read on three (3) separate days shall be in order only if each Member has a readily accessible paper or electronic copy of the ordinance or resolution to which this motion applies; and this motion may not apply to more than one ordinance or resolution, except by unanimous consent.

#### Rule 9E: Parliamentary Motions

(1) Parliamentary motions are classified as follows: main motion, subsidiary motions, privileged motions, incidental motions, and renewal motions.

(2) Privileged motions do not relate to the pending business, but deal with matters of immediate importance, and given precedence, in the following order, starting with the highest:

(A) Adjourn to a time certain

(B) Adjourn

(C) Recess

(D) Raise a question of privilege, making a request relating to the rights of members

(E) Call for orders of the day, to ask that the Council or committee conform to the agenda

(3) Subsidiary motions aid in handling the main motion. They rank below privileged motions and are listed below in order of precedence, starting with the highest:

(A) To lay on the table, a motion to set aside business temporarily when something else of immediate urgency has arisen. This motion is not to be used simply to prevent a direct vote on a motion.

(B) Previous question, a motion to close debate and vote immediately, which requires a 2/3 vote of the Members present and voting.

(C) To limit or extend debate

(D) To postpone to a day certain

(E) To commit or refer to committee

(F) To postpone indefinitely

(G) To amend

(4) Incidental motions deal with questions of procedure which must be decided before business can proceed. The following incidental motions may take priority over a privileged or subsidiary motion, depending on how the motion relates to the main motion.

(A) Point of order

(B) Suspension of the rules

(C) To withdraw a motion

(D) To divide a question, asking that allows a motion with several parts be considered as two or more separate questions.

(5) A main motion to bring an item for consideration before the Council or any committee of Council is not in order when any other question is before the Council and yields to all privileged, incidental, and subsidiary motions.

(6) The following renewal motions bring a question back before the Council or committee:

(A) Take from the table

(B) Rescind, a motion to cancel the action taken in a previously approved motion

(C) Reconsider, a motion to bring back for further consideration a motion that had previously been voted on.

#### Rule 9F: Renewal of Motions

Motions that failed to be adopted may be renewed at another meeting, but may not be reintroduced at the same meeting.

#### Rule 9G: Motion to Reconsider

A motion to reconsider must be made by a Member who voted on the prevailing side when the question was first voted on and must be made on the same day or at the next meeting of the Council or committee at which the question was originally voted on.

#### Rule 9H: Time Limit for Members Speaking

Members may not speak for more than five (5) minutes at a time at a Council meeting on any one topic; but this limit may be extended at the discretion of the President.

#### Rule 9I: Non-debatable Motion Following Speech Prohibited

It shall not be in order to conclude a speech in the Council or in committee by making a non-debatable motion.

#### Rule 9J: Amendments

All amendments shall be germane to the subject that is proposed to be amended. All proposed amendments to an ordinance or; resolution, ~~or Motion of Council~~ shall be in written form, except that the President or the chairperson of a committee may accept for consideration a verbal amendment that is clear, unambiguous, and may be presented in a single sentence or a few words. A parliamentary motion need not be in written form.

#### Rule 9K: Committee Authority to Pass Amendments

If an amendment is approved in committee, it shall not need to be approved by Council; nor shall passage of an amendment change the number of readings in Council required for passage of an ordinance or; resolution, ~~or Motion of Council~~.

#### Rule 9L: Executive Appointments

Approval of appointments of the Executive shall require a resolution. ~~Motion of Council~~. The prospective appointment shall be considered at one or more meetings of the appropriate committee, unless this requirement is dispensed with by a vote of at least eight (8) Members. The Council shall make decisions regarding appointments of the Executive based on the best obtainable information on how well the experience and qualifications of the applicant match the requirements of the position for which the applicant is being considered, and based on the need that appointees be reflective of all the people of Cuyahoga County.

#### ~~Rule 9M: Expedited Consideration of Executive Appointments~~

~~If the Executive makes a recommendation for appointment at a time that does not closely coincide with the date of a Regular Council Meeting, the President may refer the appointment to the appropriate committee prior to its presentation at a Regular Council Meeting. The Clerk shall promptly notify all Members when such referral is made. An appointment referred in this manner may be approved at a single Regular Council Meeting following the committee hearing only by suspending Rule 7E, requiring Motions of Council to be heard at two Regular Council Meetings.~~

#### Rule 9MN: Council Appointments

Appointments to Boards, Commissions, and Advisory Committees that the Charter directs be made by the Council shall be done by resolution. ~~a Motion of Council~~. The

President shall make recommendations to Council on Council appointments, based on work done by the appropriate committee to find candidates whose experience and qualifications best match the requirements of the positions for which they are being considered, and on consideration of the need that appointees be reflective of all the people of Cuyahoga County.

## **Rule 10. Voting**

### Rule 10A: Duty to Vote and Recusal

Every Member present shall vote on every question in Council or in committee, unless the Member has recused him/herself, except that a Member may abstain from voting on questions relating to the minutes of a meeting at which the Member was absent. A Member shall recuse him/herself from voting whenever the Member has a personal or monetary interest in any manner under consideration or believes that voting on the matter could for any reason constitute a violation of state or county ethics law.

(Amended 5/8/2012 by Motion No. M2012-0004)

### Rule 10B: Proxy Voting Prohibited

Proxy voting shall not be allowed in the Council or in committee.

### Rule 10C: Voting Procedure

Voting on all matters shall generally be by voice vote, except that a roll call vote may be held on any matter at the discretion of the presiding officer or upon the request of any Member or the Clerk. Voting may also be done electronically, provided that the appropriate equipment is available and that the vote of every Member is publicly displayed or announced by the Clerk. The presiding officer shall insure that the Clerk is able to record the vote of every Member on all matters. At all roll calls, the names of Members shall be called in order by the number of their district, except that the President shall vote last. At each successive Council Meeting, the Clerk shall advance the starting point in the roll call by one Member, in order to insure variation in the order in which Members vote.

### Rule 10D: Change of Vote

Prior to the announcement of the vote on any question, any Member may request to change his/her vote, and such request shall be approved by the Presiding Officer, except for good cause; however, no Member shall be permitted to change his/her vote after the result of the vote has been declared.

## **Rule 11. Legislation**

### Rule 11A: Information Required in Legislation

Legislation, consisting of ordinances and resolutions, shall recite the name of the

sponsor(s) and cosponsors(s), the date of all readings in Council, the date of any committee reports, the date of adoption, the date of approval or disapproval by the Executive, and the date of enactment upon reconsideration if disapproved by the Executive, as applicable.

#### Rule 11B: Signatures Required for Adoption of Legislation

Legislation adopted shall be authenticated by the signatures of the President, the Clerk, and, if approved, by the Executive.

#### Rule 11C: Clerk to Maintain Legislation

Following introduction, the Clerk shall maintain all original copies of proposed and adopted legislation in a safe and permanent manner, allow for public inspection of all proposed and adopted legislation, and provide copies upon request pursuant to the public records law.

#### Rule 11D: Vote Required for Adoption of Legislation

Adoption of legislation shall require the affirmative vote of at least six (6) Members of Council, except as otherwise provided by the Charter, the ~~Codified Ordinances of~~ Cuyahoga County Code, or applicable general law.

#### Rule 11E: Effective Date of Legislation

Legislation shall take effect at the time provided for in general law, unless a later time is specified in the legislation. The time normally required for legislation to become effective may be dispensed with and an ordinance or resolution may be designated to become effective immediately upon enactment; however such action requires that the legislation contain a statement of the necessity for such action and that the legislation receive the affirmative vote of at least eight (8) Members, as specified in Article 3, Section 10, Subsection 8 of the Charter. If an ordinance or resolution fails to receive the necessary eight (8) votes to become effective immediately, it shall take effect at the time provided for in general law, unless a later time is specified in the legislation. ~~the Council may amend the legislation by removing the language stating the reason for necessity that the legislation become effective immediately upon enactment and then vote on it again.~~

#### Rule 11F: Expiration of Pending Legislation

(1) Prior to the end of each year in which a General Election for Members of Council takes place, the Council shall consider a ~~resolution~~ Motion of Council, providing that legislation introduced prior to July 1 of that year and not adopted shall expire. At least two weeks prior to the consideration of that ~~resolution~~ Motion of Council, the Clerk shall provide each Member a list of legislation sponsored by that Member that is set to expire. The Council may adopt this ~~resolution~~ Motion of Council, so as to decide which items of legislation set to expire shall expire.

(2) In addition, legislation may be withdrawn at any time by letter to the Clerk from all of the initial sponsors of the legislation, requesting that it be withdrawn. The letter may be sent by electronic mail. At each meeting of Council, the Clerk shall announce any legislation that has been withdrawn by letter, and the items withdrawn shall be listed in the minutes of the meeting.

(Amended 5/8/2012 by Motion No. M2012-0004 and 1/22/2013 by Motion No. M2012-0030)

#### Rule 11G: Reconsideration After Executive Veto

When the Executive has disapproved an ordinance or resolution, or a part or item thereof, the Council may, not later than its second regular meeting following such disapproval, proceed to reconsider the disapproved measure. If on reconsideration, it received the affirmative vote of at least eight (8) Members of Council, it shall then take effect as if it had received the approval of the Executive, as provided in Article 3, Section 10 Subsection 7 of the Charter.

#### Rule 11H: Publication and Codification of Legislation

All legislation shall be published on the County's website, codified as prescribed by law and these Rules of Council, and shall be kept in a permanent file, which may be in an electronic format.

#### Rule 11I: Codification of Legislation

The Clerk, in consultation with the Director of Law, shall regularly compile the legislation of Cuyahoga County into a code or compilation of laws in book form by title, chapter, and section, without substantive change or alteration of purpose or intent. The codification shall be known as the "Cuyahoga County Code."~~The Codified Ordinances of Cuyahoga County."~~

#### Rule 11J: Authorization to Make Technical Changes

The Clerk, in consultation with the Director of Law, may make technical, non-substantive changes, only to the extent deemed necessary, to convert the original ordinances to codified form, including, but not limited to:

- (1) Creating a consistent system of capitalization.
- (2) Making chapter, section, and subdivision designations consistent.
- (3) Substituting for the term "this ordinance," if necessary, a term such as "section" or "chapter."
- (4) Substituting the proper calendar date for phrases such as "effective date of this ordinance."

(5) Elimination from the Cuyahoga County Code ~~Codified Ordinances~~ of titles to ordinances, enacting and repealing clauses, statements of facts, preambles, effective dates, declarations of severability and reasons for ordinances to become effective immediately upon enactment.

Rule 11K: Historical Record of the Cuyahoga County Code ~~Codified Ordinances~~

The Clerk, with appropriate assistance, shall prepare and maintain full historical records showing the enactment, amendment, revision, supersession, and repeal of the various sections of the Cuyahoga County Code ~~Codified Ordinances~~.

Rule 11L: Maintenance of the Cuyahoga County Code ~~Codified Ordinances~~

The Clerk shall maintain the Cuyahoga County Code ~~Codified Ordinances~~ and historical records of the Cuyahoga County Code ~~Codified Ordinances~~ on the County's website and in a permanent file, which may be in an electronic format; however, some printed copies shall be prepared at least annually.

## **Rule 12. Committees**

Rule 12A: Referral to Committee

All legislation shall first be introduced at a Council meeting, and the President shall then assign that legislation to committee for review and recommendation, unless the Council, through suspension of the rules, decides to dispense with committee review on any matter.

Rule 12B: Referral to Multiple Committees

The President may assign a matter to multiple committees, either simultaneously or sequentially.

(1) If a matter is referred to multiple committees sequentially, it shall be heard in Council on second reading after being reviewed by all assigned committees. The recommendations of all assigned committees shall be considered and the matter shall be reported in the form recommended by the last committee.

(2) If a matter is referred to multiple committees simultaneously, the President shall designate one of the assigned committees as the lead committee. The matter shall be heard in Council on second reading after being reviewed by all assigned committees. The recommendations on all assigned committees shall be considered and the matter shall be reported in the form recommended by the lead committee.

Rule 12C: Joint Committees

The President may assign a matter to be heard jointly by two or more standing committees. The President shall determine the Chairperson and Vice-Chairperson of the joint committee from the Chairpersons and Vice-Chairpersons of the standing committees that make up the joint committee. A quorum of the joint committee shall

be a majority of all of its Members, and each Member shall have one vote on the joint committee, regardless of whether they belong to one or more of the standing committees that make up the joint committee.

#### Rule 12D: Subcommittees

The Chairperson of any standing committee, with the approval of the President, may appoint one or more subcommittees, comprised of Members of that standing committee, to study and make recommendations to the full committee or the Council on specific subjects within the standing committee's jurisdiction. The chairperson of each standing committee shall, with the approval of the President, appoint the Chairperson and Vice-Chairperson of each subcommittee created under that standing committee. Except for the provisions of this rule relating to the appointment of Members and officers of subcommittees, all other rules that apply to committees of Council shall also apply to subcommittees, including but not limited to rules regarding notice of meetings, keeping of minutes, advance publication of the agenda, and provision of time for public comment.

#### Rule 12E: Advisory Subcommittees

(1) The Chairperson of any standing committee, with the approval of the President as described more fully below, may appoint the Chairperson, Vice-Chairperson, and members of one or more advisory subcommittees, comprised of one or more Members of that standing committee and one or more members of the general public, to study and make written recommendations to the full committee on specific subjects within that standing committee's jurisdiction. Members of the public serving on advisory subcommittees shall be electors of Cuyahoga County and shall serve at the pleasure of the Chairperson. The Chairperson of each advisory subcommittee shall be a Member of Council.

(2) Prior to the appointment of any advisory subcommittee, the President of Council shall approve the purpose, duration, persons to be appointed as officers, and persons to be appointed as members of the advisory subcommittee.

(3) Except for appointment and composition as provided above, all rules that apply to Committees of Council shall also apply to advisory subcommittees, including but not limited to rules regarding notice of meetings, keeping of minutes, advance publication of the agenda, and provision of time for public comment.

#### Rule 12F: Temporary Appointments to Committee

If a Member is absent from any Council committee meeting, the President may appoint a replacement as Member Pro Tem, but such appointment shall not extend beyond that meeting of the committee or after the original absent Member is in attendance at that meeting.

#### Rule 12G: Standing Committees

The following standing committees are established for the Council:

- (1) Health, Human Services & Aging
- (2) Public Safety & Justice Affairs
- (3) Economic Development & Planning
- (4) Finance & Budgeting
- (5) Public Works, Procurement & Contracting
- (6) Human Resources, Appointments & Equity
- (7) Education, Environment & Sustainability
- (8) Council Operations & Intergovernmental Relations

(Amended 1/22/2013 by Motion No. M2012-0030)

Rule 12H: Committee Assignments to be for Two Years

Committee assignments shall be for a term of two years, but changes in assignments may be made at other times ~~through~~ by Council by resolution, a Motion of Council.

Rule 12I: President to Appoint Committees

Not later than the second Regular Council Meeting following each Organizational Meeting, the President shall appoint the Chairperson, Vice-Chairperson, and Members for each standing committee. The President shall also make appointments to fill any vacancies in positions as Chairperson, Vice-Chairperson, or member of any standing committee. The President shall to the best extent possible, make committee assignments that reflect the interests and experience of Members.

(Amended 5/8/2012 by Motion No. M2012-0004)

Rule 12J: Council to Set Regular Committee Times

Not later than the third Regular Council Meeting each year, the Council shall pass a ~~resolution~~ Motion of Council, setting the regular days, meeting times, and locations for the standing committee meetings. After the regular schedule of standing committees is set, the Chairperson of any standing committee may, with the approval of the President, change the regular day, time, or location of a standing committee. The Clerk shall update the list provided for in Rule 12 ~~V~~ W to reflect any changes.

Rule 12K: Special Committees

The Council may, by ~~resolution~~Motion of Council, create special or ad hoc committees in addition to the standing committees. The President shall appoint the Chairperson, Vice-Chairperson, and Members for such committees in the same way as for standing committees.

~~Rule 12L: Committees to Appoint Secretary~~

~~Each committee, at its first meeting and at its first meeting following each Organizational Meeting, shall elect one of its Members as Secretary, who shall perform the duties of the Clerk at any meeting in which the Clerk or his/her designee is unable to be present.~~

Rule 12LM: Quorum and Record of Attendance at Committee Meetings

A quorum for any committee shall be a majority of its Members. The Clerk shall determine the presence of a quorum by roll call at the beginning of each committee meeting, shall announce when a quorum is present, and shall keep a record of Members present. In the absence of a quorum, a committee may take testimony, but otherwise may not take any action, other than those actions allowed to be taken in the absence of a quorum, as provided in Robert's Rules of Order, Newly Revised.

Rule 12MN: Notice Requirements for Committee Meetings

Except as provided in Rule 12NO, all Members shall be notified of the date, time, location, and agenda for any committee meeting at least two (2) business days before the meeting, and the same information shall at the same time be listed in the Record of Council, posted on the County's website, and posted at the Clerk's Office. For any committee meeting that is scheduled for a day, time or location other than its regularly scheduled day, time, and location as provided for in Rule 12J, the same information shall be distributed to the news media that have requested this information. The agenda shall include a list by number and short title of all legislation to be considered at the meeting.

Rule 12NO: Emergency Committee Meeting

An Emergency Committee Meeting may be conducted with shorter notice than that required in Rule 12MN, provided that at least twenty-four (24) hours before the meeting, all the notice requirements of Rule 12MN are completed and same notice is distributed to the news media that have requested this information. At an Emergency Committee Meeting, only matters on the agenda for the meeting may be considered.

Rule 12OP: Vote Required for Committee Recommendations

A majority of all Members of a committee shall be required to approve a recommendation regarding an ordinance or, resolution, ~~or Motion of Council~~; but all other actions may be taken with the approval of the required majority or supermajority of those present for the motion in question, providing that a quorum is present.

Rule 12PQ: Committee Reports

For each committee meeting at which legislation is heard, the minutes shall include a separate section providing a status report listing all legislation heard by number and short title and stating the action taken by the committee on each item. Whenever legislation is amended in committee or a substitute version is accepted, whether or not the legislation is reported out of committee, a copy of the latest version shall be attached to the minutes, included in the Record of Council, and included in a posting of pending legislation on the County's website.

Rule 12QR: Clerk or Designee to Staff Committees

The Clerk shall determine the presence of a quorum, keep minutes, and record votes at each committee meeting, but may appoint another member of Council's staff to perform these duties for any committee meeting. Minutes shall be kept at each committee meeting and shall be promptly included in the Record of Council and posted on the County's website, but in no case later than seven (7) days after the conclusion of the meeting.

Rule 12RS: Committee of the Whole

The full Council may operate as a Committee of the Whole, with the President and Vice-President of Council serving as the President and Vice-President of the committee, respectively. The President may refer any matters to the Committee of the Whole in the same way that matters are referred to other committees.

Rule 12ST: Discharge from Committee

Any matter pending before any committee or committees of Council may be discharged from committee and placed on 2nd reading upon presentation to the Clerk of a discharge petition signed by not less than six (6) Members of Council. The Clerk shall immediately notify all members when a valid discharge petition is presented. The matter discharged shall be placed on 2nd reading at the next Council meeting following presentation of the discharge petition if that Council meeting occurs at least three (3) business days following presentation of the discharge petition; otherwise, the matter discharged shall be placed on 2nd reading at the second meeting of Council following presentation.

Rule 12TU: Participation of Members at Committee Meetings

Any Member may be seated at the committee table and participate in all discussions, whether or not that Member has been appointed to that committee; however, a Member who has not been appointed to a committee may not offer motions or vote at that committee.

Rule 12UV: Notice Provisions for Adjourned Committee Meeting

A committee may adjourn to a time and place certain, but shall follow the notice provisions of Rule 5D in giving notice of the time and place to which the meeting is adjourned. Notice shall be given to all Members, whether or not they have been

assigned to the committee.

Rule 12~~V~~~~W~~: List of Committees

The Clerk shall maintain and post on the County's website a list of all standing, joint, ad hoc, or special committees and all subcommittees and advisory subcommittees currently existing within the Council, the officers and members of each, and the regular day, time, and location of meeting of each, if established.

**Rule 13. Work Sessions**

Rule 13A: Work Sessions

At the discretion of the presiding officer, the Council or any Committee of Council may hold a Work Session to work on matters through a more informal process.

Rule 13B: Work Sessions Considered Committee Meetings

Except as provided in Rule 14C, work sessions shall be considered committee meetings in all other respects. All other rules that apply to Council committees shall also apply to Work Sessions, including but not limited to the requirements for open meetings, advance notice of the meeting, advance publication of the agenda, keeping of minutes, and provision of time for public comment.

Rule 13C: Informal Process Permitted at Work Sessions

All Work Sessions shall be conducted under the leadership of the presiding officer, but the presiding officer may suspend the usual rules regarding the control of discussion and debate to allow for informal discussion among Members or between Members and the public and informal processes for drafting potential language for inclusion in ordinances, ~~or~~ resolutions, ~~and Motions of Council~~.

Rule 13D: No Formal Action Permitted at Work Sessions

No formal action regarding any legislation ~~or a Motion of Council~~ may be taken at a Work Session. The results of Work sessions shall be put into formal action at a meeting of Council or regular committee meeting, subsequent to conclusion of the Work Session.

**Rule 14. Open Records, Executive Session, Specific Notice**

Rule 14A: Open Meetings

All meetings of Council or any Council committee shall be open to the public and conducted only after prior public notice as required in Article 12, Section 5 of the Charter, Section 121.22 of the Ohio Revised Code, and these Council Rules.

Rule 14B: Availability of Public Records

All records of the Council that relate to public business shall be available to the public as public records as required in Article 12, Section 6 of the Charter, general law, the Cuyahoga County Code~~Codified Ordinances of Cuyahoga County~~, and these Council Rules.

#### Rule 14C: Executive Session

Notwithstanding Rule 14A, the Council or any Council committee may conduct an Executive Session under the provisions of Ohio Revised Code Section 121.22, as amended. The motion to adjourn to an Executive Session shall be specific as to the matters to be discussed during the Executive Session and shall require the affirmative vote of a majority of Members present. An Executive Session may be conducted only if the intent to conduct an Executive Session is stated in the published agenda for the meeting at which the Executive Session is to be conducted. Minutes shall be kept at all Executive Sessions and shall be included within the minutes of the meeting at which the Executive session was conducted. The minutes of an Executive Session shall include the location of the meeting, the date and time that the meeting started and concluded, a list of Members present, the names and titles of other persons present, and general subject matter(s) discussed.

#### Rule 14D: Advance Notice of Meetings Concerning Specific Topics

Any person may visit, telephone or contact by electronic mail the office of the Clerk during that office's regular office hours to determine, based on information available at that office, the time, place, and location of regular meetings; the time, place, location, and purpose of any then known special meetings; and whether the available agenda of any such future meeting states that any specific type of public business, identified by the person, is to be discussed at such meeting. In addition, any person may request, through the Clerk's office, to obtain reasonable advance notice of all meetings at which any specific type of business is to be discussed. Any person making this request may choose to receive such notifications either by electronic mail or regular U.S. mail. The Council may set a reasonable annual fee to receive this information by regular U.S. mail, but there shall be no fee to receive this information by electronic mail.

#### Rule 14E: Notice Available to News Media

The Clerk shall provide to any news medium organization, upon request, information including the date, time, location, and agenda of any Special Council Meeting, Regular Council Meeting adjourned to a time and place certain, Special Committee Meeting, Emergency Committee Meeting, or a committee meeting adjourned to a time and place certain. The Clerk shall establish a procedure that complies with Section 121.22 of the Ohio Revised Code for news media to apply to receive this information on an ongoing basis.

#### Rule 14F: Requirements for Emergency Meeting

No Council Meeting or Committee Meeting may be held with less than twenty-four (24) hours notice unless (1) the meeting is called to deal with an emergency requiring

immediate official action, (2) the appropriate rules are suspended as provided for in these Rules of Council, and (3) the public notice and other requirements of Section 121.22 of the Ohio Revised Code regarding such meetings are complied with.

### **Rule 15. Records of Meetings of Council and Committees**

#### Rule 15A: Minutes of Council Meetings

The Clerk shall keep minutes of all Council meetings, which shall include the time, date, and location of all meetings; roll call of Members present; actions taken; and the vote of each Member on all questions.

#### Rule 15B: Minutes to be Provided to Council Members

Not later than the close of business on the second day prior to each meeting of Council, the Clerk shall provide each Member a copy of the minutes of the previous meeting, and shall provide copies of the final version of the minutes to each Member if the minutes are amended. Copies of the minutes may be provided in electronic format. The minutes shall include a written summary of actions taken at the meeting. The minutes shall also include a digital record of each Council meeting, but the digital record is not required to be included in the copies of minutes sent to Members.

#### Rule 15C: Record of Council

The Clerk shall keep a Record of Council, which shall be posted on the County's website and kept in a permanent file, which may be in an electronic format. The Record shall include all minutes and shall include a list of all legislation, including the number, title, sponsor, date of first reading, committee assignment, date of second reading, date of third reading, or date of dispensing with the requirement for three readings, and date of the adoption or failure to adopt. The Record of Council shall also include the agenda for all Council meetings and the agenda and minutes for all committee meetings.

### **Rule 16. Continuity, Amendment and Suspension of Rules**

#### Rule 16A: Continuity of Rules

These Rules of Council shall remain in effect until amended or repealed and shall not need to be re-enacted at each Organizational Meeting of Council.

#### Rule 16B: Amendment of Rules

Any provision in these Council rules may be amended by adoption of a resolution, ~~Motion of Council~~, approved by at least seven (7) Members of Council.

#### Rule 16C: Suspension of Rules

Unless otherwise specified in the Charter, the Cuyahoga County Code ~~Codified-Ordinances of Cuyahoga County~~, or these Council Rules, any rule may be suspended by a vote of 2/3 of the Members present and voting, provided that a

quorum is present.

### **Rule 17. Requests to Address Council**

#### Rule 17A: Public Comment at Committee Meetings

The Council encourages the public to direct any address or presentation to the applicable Committee of Council. Requests to address a committee shall be made in writing to the Chairperson of the committee, prior to addressing the committee on a form to be provided for this purpose. The request shall include the name of the requesting party and the topic(s) on which the requesting party wishes to speak.

#### Rule 17B: Public Comment Available at All Committee Meetings

The Chairperson shall honor all requests to address committee received before the start of a committee meeting and shall honor requests received during a committee meeting whenever it is practical to do so. The Chairperson may impose a reasonable time limit per presentation, and such time limit may be extended at the discretion of the Chairperson.

#### Rule 17C: Public Comment at Council Meetings

The Council shall provide time at the beginning of each Council meeting for public comment regarding items on the agenda for that meeting, and shall provide time at the end of each Council meeting for public comment that relates to County business but does not relate to the agenda for that meeting. Requests to address Council shall be made in writing to the Clerk prior to the meeting on a form to be provided for this purpose. Requests submitted to the Clerk not later than 12 Noon on the day of the meeting shall be given priority in the order of presentation. After being recognized by the President, the presenter shall state his/her name and address and may speak for not more than three (3) minutes, unless such time is extended at the discretion of the President.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0224

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive's appointment of Reverend Larry L. Macon, Sr. to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/4/2018, and declaring the necessity that this Resolution become immediately effective.
--	--

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

WHEREAS, Ohio Revised Code Section 339.02 provides for the creation of county hospital trustees and the means by which appointments are made; and

WHEREAS, Ohio Revised Code Section 339.02 further provides that such appointments to the board of trustees shall be for a six year term; and

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

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

WHEREAS, County Executive Ed FitzGerald has nominated Reverend Larry L. Macon, Sr. to The MetroHealth System Board of Trustees to fill a vacancy in an expired term commencing immediately and ending 3/4/2018.

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:**



**[PROPOSED SUBSTITUTE]**

**County Council of Cuyahoga County, Ohio**

**Resolution No. R2014-0224**

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive’s appointment of Reverend Larry L. Macon, Sr. to serve on The MetroHealth System Board of Trustees for an unexpired term ending 3/5/2019, and declaring the necessity that this Resolution become immediately effective.
--	--

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

WHEREAS, Ohio Revised Code Section 339.02 provides for the creation of county hospital trustees and the means by which appointments are made; and

WHEREAS, Ohio Revised Code Section 339.02 further provides that such appointments to the board of trustees shall be for a six year term; and

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

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

WHEREAS, County Executive Ed FitzGerald has nominated Reverend Larry L. Macon, Sr. to The MetroHealth System Board of Trustees to fill a vacancy in an unexpired term ending 3/5/2019.

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:**



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0225

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive's appointment of Maureen Dee to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/5/2019, and declaring the necessity that this Resolution become immediately effective.
--	---

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

WHEREAS, Ohio Revised Code Section 339.02 provides for the creation of county hospital trustees and the means by which appointments are made; and

WHEREAS, Ohio Revised Code Section 339.02 further provides that such appointments to the board of trustees shall be for a six year term; and

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

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

WHEREAS, County Executive Ed FitzGerald has nominated Maureen Dee to serve on The MetroHealth System Board of Trustees for the balance of a term that will expire 3/5/2019; 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 Maureen Dee to serve on The MetroHealth System Board of Trustees for the balance of a term that will expire 3/5/2019.

**SECTION 2.** 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 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: September 23, 2014

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

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

[PROPOSED SUBSTITUTE]

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0225

Sponsored by: <b>Councilmembers Connally and Conwell</b>	<b>A Resolution</b> confirming the County Executive’s appointment of Maureen Dee to serve on The MetroHealth System Board of Trustees for an unexpired term ending 3/5/2018, and declaring the necessity that this Resolution become immediately effective.
--	---

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

WHEREAS, Ohio Revised Code Section 339.02 provides for the creation of county hospital trustees and the means by which appointments are made; and

WHEREAS, Ohio Revised Code Section 339.02 further provides that such appointments to the board of trustees shall be for a six year term; and

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

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

WHEREAS, County Executive Ed FitzGerald has nominated Maureen Dee to serve on The MetroHealth System Board of Trustees to fill a vacancy in an unexpired term ending 3/5/2018; 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:**



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0226

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 t he Cleveland/Cuyahoga County Workforce Investment Board for various terms each beginning 7/1/2014, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that “[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;” and

WHEREAS, the Cleveland/Cuyahoga County Workforce Investment Board was established to fulfill the functions outlined in the Federal Workforce Investment Act of 1998 and was created pursuant to the provisions of Ohio Revised Code Chapter 6301; and

WHEREAS, the joint operation between the City of Cleveland and Cuyahoga County provides public policy guidelines and exercises oversight of local programs of workforce activities; and

WHEREAS, County Executive Ed FitzGerald has nominated the following individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board:

- i) Reappointment for the term ending 6/30/2015:
  - a) Michael T. Latkovich
  - b) Sari Feldman
  - c) Jay Carson
- ii) Appointment for the term ending 6/30/2016:
  - a) Aaron Grossman
- iii) Reappointment for the term ending 6/30/2016:

- a) Daniel E. Berry
- iv) Reappointment for the term ending 6/30/2017:
  - a) Gayle Thompkins Agahi
  - b) Lawrence Benders
  - c) Joseph A. Calabrese
  - d) Harriet Shaw Applegate
  - e) Bill Kitson
  - f) Kim M. Shelnik
- v) Appointment of mandatory partner for an undetermined term:
  - a) David Merriman

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 or reappointment of the following individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for the terms each beginning 7/1/2014:

- i) Reappointment for the term ending 6/30/2015:
  - a) Michael T. Latkovich
  - b) Sari Feldman
  - c) Jay Carson
- ii) Appointment for the term ending 6/30/2016:
  - a) Aaron Grossman
- iii) Reappointment for the term ending 6/30/2016:
  - a) Daniel E. Berry
- iv) Reappointment for the term ending 6/30/2017:
  - a) Gayle Thompkins Agahi
  - b) Lawrence Benders
  - c) Joseph A. Calabrese



**[PROPOSED SUBSTITUTE]**

**County Council of Cuyahoga County, Ohio**

**Resolution No. R2014-0226**

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 t he Cleveland/Cuyahoga County Workforce Investment Board for various terms each beginning 7/1/2014, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that “[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;” and

WHEREAS, the Cleveland/Cuyahoga County Workforce Investment Board was established to fulfill the functions outlined in the Federal Workforce Investment Act of 1998 and was created pursuant to the provisions of Ohio Revised Code Chapter 6301; and

WHEREAS, the joint operation between the City of Cleveland and Cuyahoga County provides public policy guidelines and exercises oversight of local programs of workforce activities; and

WHEREAS, County Executive Ed FitzGerald has nominated the following individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board:

- i) Reappointment for the term ending 6/30/2015:
  - a) Michael T. Latkovich
  - b) Sari Feldman
  - c) Jay Carson
  
- ii) Appointment for the term ending 6/30/2016:
  - a) Aaron Grossman
  
- iii) Reappointment for the term ending 6/30/2016:

- a) Daniel E. Berry
- iv) Reappointment for the term ending 6/30/2017:
  - a) Gayle Thompkins Agahi
  - b) Lawrence Benders
  - c) Joseph A. Calabrese
  - d) Harriet Shaw Applegate
  - e) Bill Kitson
  - f) Kim M. Shelnik
- v) Appointment of Cuyahoga County Department of Health and Human Services/Cuyahoga Job and Family Services Temporary Assistance for Needy Families “mandatory partner” for an indefinite term:
  - a) David Merriman – while serving in his capacity as Administrator of Cuyahoga Job and Family Services or until the County Executive appoints a replacement who is confirmed by Council.

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 or reappointment of the following individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for the terms each beginning 7/1/2014:

- i) Reappointment for the term ending 6/30/2015:
  - a) Michael T. Latkovich
  - b) Sari Feldman
  - c) Jay Carson
- ii) Appointment for the term ending 6/30/2016:
  - a) Aaron Grossman
- iii) Reappointment for the term ending 6/30/2016:
  - a) Daniel E. Berry
- iv) Reappointment for the term ending 6/30/2017:

- a) Gayle Thompkins Agahi
  - b) Lawrence Benders
  - c) Joseph A. Calabrese
  - d) Harriet Shaw Applegate
  - e) Bill Kitson
  - f) Kim M. Shelnik
- v) Appointment of Cuyahoga County Department of Health and Human Services/Cuyahoga Job and Family Services Temporary Assistance for Needy Families “mandatory partner” for an indefinite term:
- a) David Merriman – while serving in his capacity as Administrator of Cuyahoga Job and Family Services or until the County Executive appoints a replacement who is confirmed by Council.

**SECTION 2.** 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 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: September 23, 2014

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

Legislation Substituted on the Floor: October 14, 2014

Journal CC016

October 14, 2014

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0030

Sponsored by: <b>Councilmember Conwell</b>	<b>An Ordinance</b> enacting the Cuyahoga County Appointment and Confirmation Act, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article II, Section 2.03 (2) of the Charter of Cuyahoga County, empowers the County Executive to “appoint, subject to the confirmation by the Council, and remove County directors and officers and members of boards, agencies, commissions and authorities;” and,

WHEREAS, Article II, Section 2.03 (2) of the Charter states that “if the Council shall fail to act on the question of such an appointment by the County Executive within sixty days of the date that the County Executive submits such appointment to the Council for its consideration, that appointment shall be deemed confirmed without further action by the Council;” and

WHEREAS, Article II, Section 2.03 (2) of the Charter states “the County Executive and the Council shall use good faith efforts to reflect the diversity of the people of the County in appointing such officers and members;” and,

WHEREAS, Article XII, Section 12.07 of the Charter states “[a]ll officers and members of boards, agencies, commissions and authorities appointed by the County Executive, the Council or other County elected officials... shall be appointed, employed, promoted, and compensated without regard to their race, color, religion, sex, national origin, sexual orientation, disability, age, or ancestry;” and,

WHEREAS, the Council desires to standardize the confirmation process in order to fully evaluate candidates submitted for appointment, and to ensure the foregoing Charter principles are consistently upheld; and,

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

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

**SECTION 1.** Chapter 114 of the Cuyahoga County Code is hereby enacted as follows:

## **CHAPTER 114: Appointment and Confirmation**

### **Section 114.01: Submission of Appointments to County Council**

- A. The submission of any candidate to the Council for confirmation shall be accompanied by the following:
1. A letter from the candidate requesting the appointment, if such a letter was submitted to the appointing authority;
  2. A copy of the candidate's current résumé or equivalent summary of academic, professional, and experiential qualifications; and
  3. A letter from the appointing authority providing the following information:
    - i. The title of the board, agency, commission, or authority to which the candidate is being appointed;
    - ii. Any statutory or other qualifications required to hold the appointed position, plus a statement that the candidate meets such qualifications;
    - iii. The specific term of office during which the candidate would serve;
    - iv. An indication of whether the candidate is being considered for a new appointment or for reappointment;
    - v. For a new appointment: the name of the individual who the candidate would replace;
    - vi. For a reappointment: the past attendance record of the candidate, if maintained by the board, agency, commission or authority to which the candidate is being appointed;
    - vii. A cumulative list of individuals who applied for the position;
    - viii. The candidate's direct contact information, including the candidate's phone number, email address, home address, and business address;
    - ix. An indication of whether the candidate currently serves on any government, private, or non-profit board or commission;
    - x. An indication of whether any opinion was requested or issued from the Inspector General, the Ohio Ethics Commission, or other authority regarding potential conflicts of interest related to the candidate's appointment.
- B. In the event that any of the information identified in this Section is not provided to the Council with the submission of an appointment, such omission shall be



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0023

Sponsored by: <b>Councilmembers Simon and Miller</b>	<b>An Ordinance</b> amending Chapter 202 of the Cuyahoga County Code by adding Section 202.18 to establish a Department of Sustainability and to provide for the powers and duties of the Director of Sustainability.
Co-sponsored by: <b>Councilmembers Connally, Brady, Germana, Conwell and Hairston</b>	

WHEREAS, Section 3.09(2) of the Charter of Cuyahoga County grants Council the power to establish departments, and divisions and sections within departments, under the supervision of the County Executive, and such boards, agencies, commissions, and authorities, in addition to or as part of those provided for in the Charter, as the Council determines to be necessary for the efficient administration of the County; and,

WHEREAS, Section 7.01 of the Charter of Cuyahoga County declares that the County shall have as a primary responsibility the promotion and enhancement of the economic well-being and prosperity of the County and all of its residents; and,

WHEREAS, the Council of Cuyahoga County has determined that the creation of a County Department of Sustainability is necessary for the economic well-being and prosperity of the residents of Cuyahoga County; and,

WHEREAS, the Council of Cuyahoga County has determined that the creation of a County Department of Sustainability furthers the fundamental government purpose of job creation and economic growth, and contributes to the County's long-term regional and global competitiveness; and,

WHEREAS, the Council of Cuyahoga County has determined that the creation of a County Department of Sustainability is necessary for the efficient administration of County Government; and,

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

**SECTION 1.** The Cuyahoga County Council hereby amends Chapter 202 of the Cuyahoga County Code by adding Section 202.18 to establish a Department of Sustainability and provide for the powers and duties of the Director of Sustainability to read as follows:

#### **Section 202.18: Department of Sustainability**

A. The Cuyahoga County Department of Sustainability

1. There is hereby established the Department of Sustainability for Cuyahoga County under the supervision of the County Executive and the Director of Sustainability. The Department shall be its own appointing authority pursuant to the County Charter and County Code.
2. The Department of Sustainability shall have the following functions:
  - a. Promoting environmentally sustainable business practices in the internal operations of the County;
  - b. Collaborating with businesses, non-profit organizations and government agencies to develop programs incorporating environmentally sustainable methods into accepted practice;
  - c. Promoting economic development to support businesses that provide environmentally sustainable goods and services;
  - d. Educating the public about environmentally sustainable practices;
  - e. Advising, when requested, the County Executive and the County Council on policies and programs related to environmental sustainability; and
  - f. Coordinate and collaborate with other directors and departments to achieve operational efficiencies and to eliminate redundancy within County government.

B. The Director of Sustainability

1. There shall be a Director of Sustainability who shall be appointed by the County Executive, subject to confirmation by Council. The Director of Sustainability shall serve at the pleasure of the County Executive and shall lead the Department of Sustainability. The Director of Sustainability shall possess the following qualifications:
  - a. demonstrated knowledge of county, state, and federal environmental regulation;
  - b. experience in the finance and administration of public or private-sector sustainability projects; and
  - c. experience establishing collaborative relationships with business, non-profit and public entities.



# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0028

Sponsored by: <b>Council President Connally</b>	<b>An Ordinance</b> establishing the Cuyahoga County Archives Advisory Commission, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article III, Section 3.09(2) of the County Charter empowers the Council to establish “such boards, agencies, commissions, and authorities... as the Council determines to be necessary for the efficient administration of the County;” and,

WHEREAS, Article II, Section 2.03(2) of the County Charter empowers the County Executive to appoint members of such commissions, subject to confirmation by County Council; and,

WHEREAS, the County Council deems a Cuyahoga County Archives Advisory Commission necessary to promote the identification and preservation of historical records and ensure access by Cuyahoga County and the general public through the County Archives; and,

WHEREAS, Cuyahoga County created the County Archives in 1975 to serve as the central repository of historical records requiring temporary maintenance, which must be available and accessible for governmental and public use; and

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

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

**SECTION 1: CHAPTER 206** of the Cuyahoga County Code, which provides for County commissions, is hereby amended to enact Section 206.11 as follows:

#### **SECTION 206.11: Cuyahoga County Archives Advisory Commission**

A. Definitions. As used in this section:

- (1) “Historical Records” shall mean all information, regardless of media, created by County entities and preserved because of ongoing value and which may also be referred to as “Archives”;

- (2) "Access" shall mean the ability to obtain, examine, and or retrieve all public records in an efficient and convenient manner;
- (3) "Public Programming" shall mean the structure and components of certain programs that assist in facilitating the outreach efforts of the Cuyahoga County Archives.

B. There is hereby established the Cuyahoga County Archives Advisory Commission. The Archives Advisory Commission shall have the following powers and duties:

- (1) To promote the identification and preservation of Cuyahoga County's historical records by identifying the necessary resources and raising the visibility of the Archives;
- (2) To ensure availability of Cuyahoga County's historical records by identifying facilities that meet best standards for archival preservation and, which may easily be accessed by the citizens of Cuyahoga County;
- (3) To raise awareness of the historical value and significance of Cuyahoga County's historical records through effective public programming;
- (4) To recommend the appropriate practices, policies and procedures to bridge the gap between technological efficiencies and historical competencies;
- (5) To encourage best practices that align with the standards of a modern archival administration and are in accordance with the terms as defined by the Society of American Archivists.

C. Qualifications and Composition of Archives Advisory Commission Members.

- (1) The general qualifications of the members of the Archives Advisory Commission shall be determined by the postsecondary education in History, Library Science, Genealogy or related field, experience in archival facilities or related area, and a working knowledge of relevant software.
- (2) The Archives Advisory Commission shall be composed of nine voting members, with the County Archivist providing general organizational support, which include five appointed electors of the County and the following ex officio members:
  - i. Chief Information Officer or designee;
  - ii. Director of Public Works or designee;

- iii. A member of County Council as determined by the President of Council;
- iv. Clerk of Council.

D. Appointment Process and Qualification.

- (1) All Commission members not serving in an ex officio capacity shall be an elector of the County and shall be appointed by the County Executive and confirmed by the County Council.

E. Commission Member Terms.

- (1) The term of office for each appointed Commission member shall be four years.
- (2) The term of office of each appointed member shall commence upon the date specified in the confirmation resolution approved by Council.
- (3) With regard to the initial terms of appointed Commission members, three members shall be appointed to full terms and two members shall be appointed to half terms.
- (4) Commission membership shall be a non-compensated position, provided however, that members shall be entitled to reimbursement for reasonable expenses in connection with Commission duties with the approval of the Director of Public Works.

F. Officers and Terms of Office.

The Archives Advisory Commission shall elect a Chair, a Vice-Chair, and a Secretary. The term of each Officer shall be one year or until his/her successor takes office. The Commission shall determine a Chair by a majority vote. Officers shall be elected annually at the first organizational meeting of each year and shall take office immediately upon election.

G. Commission Member Resignation.

If an appointed Commission member should resign, the County Executive shall appoint, subject to confirmation by Council, a replacement Commission member to fulfill the remainder of the unexpired term.

H. Archives Advisory Commission Rules.

The Commission shall be responsible for recommending the rules and procedures governing the maintenance of historical records and archives of Cuyahoga County. Such rules shall encompass guidelines, criteria, and best

practices for identifying, preserving and providing access to the historical records of Cuyahoga County and advisory oversight of the resources necessary for the maintenance of the facility housing the County's historical records. The Commission shall make any other recommendations it deems necessary for carrying out its purposes.

I. Approval of Access.

In approving access to the historical records and archives, the Commission shall recommend the standard criteria and guidelines to facilitate public access and staffing accommodations, including, but not limited to, reference desks, database management, scanning and copying, and appropriate space design.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 23, 2014  
Committee(s) Assigned: Public Works, Procurement & Contracting

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

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0029

Sponsored by: <b>Councilmembers Connally and Conwell on behalf of Personnel Review Commission</b>	<b>An Ordinance</b> codifying the powers and duties of the Personnel Review Commission and authorizing the Personnel Review Commission to adopt administrative rules in accordance with the Charter and the Cuyahoga County Code, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article IX of the Charter of Cuyahoga County creates a Personnel Review Commission consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations; and,

WHEREAS, Section 9.02(4) of the Charter grants the Personnel Review Commission with “[r]esponsibility for creation of rules and policies related to the Personnel Review Commission’s authority set forth in this Charter in accordance with the human resources policies established by ordinance;” and,

WHEREAS, the Personnel Review Commission has determined to amend and adopt administrative rules that were previously adopted pursuant to Chapter 301.01 of the Cuyahoga County Code; and,

WHEREAS, Section 9.01 of the Charter of Cuyahoga County states that the County’s human resources policies and systems shall be established by ordinance and shall be administered in such a manner as will eliminate unnecessary expense and duplication of effort, while ensuring that persons will be employed in the public service without discrimination on the basis of race, color, religion, sex, national origin, sexual orientation, disability, age or ancestry; and,

WHEREAS, the Council intends to codify the powers and duties of the Personnel Review Commission in the Cuyahoga County Code, and to authorize the Personnel Review Commission to adopt administrative rules in accordance with the Charter and the County Code; 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 the Personnel Review Commission.

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

**SECTION 1.** Chapter 301 of the Cuyahoga County Code is hereby enacted as follows:

**Chapter 301: Personnel Review Commission**

**Section 301.01 Powers and Duties**

Pursuant to Article IX of the County Charter, the Personnel Review Commission shall have the following functions:

- A. Responsibility for the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review, including those of classified employees who work for the County Executive, Prosecuting Attorney, County Planning Commission, and the County Public Defender;
- B. Responsibility for administration of countywide compliance with federal and state laws regarding personnel matters within the County Executive's organization and departments;
- C. For the County Executive's organization and departments, authority to ensure:
  - 1. Pay equity for like positions;
  - 2. Standardization of benefits;
  - 3. Approval of qualifications;
  - 4. Consistent discipline;
  - 5. Training of management in personnel practices;
  - 6. Training of employees in job functions;
  - 7. Training for total quality management;
  - 8. Consistent administration of performance management system;
  - 9. Coordination of recruitment;
  - 10. Compliance with ethics resolutions or ordinances as passed by the Council.
- D. Responsibility for creation of rules and policies related to the Personnel Review Commission's authority set forth in the Charter in accordance with the human resources policies established in the County Code;
- E. Responsibility for administering a clear, countywide classification and salary administration system;
- F. Such other functions as may be deemed necessary by the Council for the Commission to carry out its mission and purpose, as provided in other provisions of this Code.

**Section 301.02 Administrative Rules**

The Personnel Review Commission may, in accordance with the policies and procedures set forth in this Code, adopt administrative rules and procedures to carry out its powers and duties as set forth in the County Charter and this Chapter.

**SECTION 2.** The existing provisions of Chapter 301 of the Cuyahoga County Code, to the extent that they are inconsistent herewith, are hereby repealed.

**SECTION 3.** 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 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 23, 2014

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

Journal CC016  
October 14, 2014

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0021

Sponsored by: <b>Councilmember Miller</b>	<b>An Ordinance</b> amending Chapter 701 of the Cuyahoga County Code by adding Sections 701.06 and 701.07 to establish guidelines for the County's investment policy and financial reporting requirements 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, Cuyahoga County adopted a biennial budget process 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, Executive and Council collaboration on the budget process would be facilitated by a regular pattern of financial reporting.

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

**SECTION 1.** The Cuyahoga County Council hereby amends Chapter 701 of the Cuyahoga County Code by adding Sections 701.06 and 701.07 to establish guidelines for the County's investment policy and financial reporting requirements for Cuyahoga County and shall read as follows:

### **Chapter 701**

#### **Section 701.06: Investment Policy**

- (A) The Fiscal Officer shall publish on its website the County's written investment policies, as established and revised by the Investment Advisory Committee.

- (B) 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 and shall use this analysis to better align the County's investments with the objectives, policies, and procedures and to improve performance against recognized benchmarks, consistent with safety and liquidity. The County Treasurer shall refer any recommendations for investment policy changes resulting from portfolio performance analysis to the Investment Advisory Committee and shall send a copy to County Council.

**Section 701.07: Financial Reporting**

- (A) Not later than March 31st of each year of the year, OBM shall prepare, publish, and submit to Council a public presentation on the budget, which shall include the following:
  - (1) An overview of County operations, programs, and finances reflecting prior year results and projections for the current year and one or more future years;
  - (2) A presentation of key financial schedules;
  - (3) A presentation of reserves on General Fund balance, describing each item and the likelihood that funds set aside for each item will actually need to be expended;
  - (4) A detailed description of the budget process;
  - (5) An analysis of County revenues;
  - (6) A description of the various fund types used in budgeting;
  - (7) Prior year results and current year goals on departmental performance measurement;
  - (8) Program budgets for each department, office, or agency;
  - (9) A description of the Capital Improvements Plan;
  - (10) A list of the County's outstanding debt obligations and discussion of the County's debt management plan;
  - (11) The list of outstanding loans made by the County, as provided for in Subsection E of this section.
  - (12) A brief overview of the most important aspects of the Biennial Operating Budget, presented so as to be easily understood and available as a separate document.

The budget presentation made in the second year of the biennium may be a summary of changes to the information required above, rather than a full report.

- (B) Not later than 45 days after the end of each calendar quarter, OBM shall prepare, publish, and submit to Council a quarterly financial report, which shall include the following:
  - (1) A presentation of key financial schedules, including reserves on General Fund balance;

- (2) A schedule of expenditures to date compared to budget for all departments, agencies, and other accounts within the General Fund and the Health and Human Services Levy Fund;
  - (3) An update of projected revenues and expenses for the General Fund, the Health and Human Services Levy Fund, and all funds combined;
  - (4) A list of bonds, notes, or other obligations of the County that expired, are new obligations, or were refinanced or restructured during the quarter;
  - (5) A discussion of likely impacts of actual and potential revenue and expenditure variations from the budget plan, including an update of changes, if any, to the presentation of reserves on General Fund balance provided for in Subsection 701.07(A)(3) above.
- (C) OBM shall prepare, publish, and submit to Council a monthly financial report not later than fifteen (15) days after the end of each month, which shall be a brief narrative regarding any of the following that may have occurred during the preceding month:
- (1) Changes to the County's overall revenue and/or expense projections or to any major individual revenue or expense item;
  - (2) Significant changes to the performance of any department or agency relative to its budget;
  - (3) Any significant unexpected revenue or expense obligation;
  - (4) Changes to the projected performance of the County's General Fund and/or Health and Human Services Levy Fund against its reserve target.
- (D) The Fiscal Officer, County Treasurer, and the Investment Advisory Committee shall provide Council a copy of any investment reports generated through its office or committee.
- (E) OBM, in coordination with the Department of Development and other County agencies, as needed, shall maintain and publish annually by March 31st of each year a list of all outstanding loans made by the County, including the amount, interest rate, and term of each loan and the amount of each loan that may be forgivable, if any. OBM shall determine 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. This reserve amount shall be reported as a reserve on balance against the General Fund, and it shall be updated at least quarterly with respect to new loans and at least annually with respect to the status of existing loans.
- (F) The county shall use best efforts to ensure timely completion of its work for the county's external audit to enable the external audit to be completed and filed by the next September 30th following each calendar year.
- (G) The Fiscal Officer shall post all reports required to be published under this section on his/her website. Such posting shall be the primary means of



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0240

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/Office of Budget &amp; Management</b>	<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.
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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:

<b><u>Fund Nos./Budget Accounts</u></b>	<b><u>Journal Nos.</u></b>
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A.	40A069 – Capital Project Future Debt Issuance	<b>BA1400715</b>
	IT768440 – New Desktops/Laptops/Tablets	
	Capital Outlays	\$ 150,000.00

Funding Source: Funding is from the General Fund reserves.

B.	01A001 – General Fund	<b>BA1400568</b>
	SU513523 – Whiskey Island Purchase – General Fund Subsidy	
	Other Expenses	\$ 1,352,000.00

Funding Source: Funding is from the General Fund.

C.	20A378 – Inspector General – Vendor Fees	<b>BA1400335</b>
	IG030429 – Inspector General – Vendor Fees	
	Personal Services	\$ 4,440.19
	Other Expenses	\$ 15,100.00

Funding Source: The source of funding is from fees associated with Inspector General Vendor Registration.

D.	22A287 - SHP - HEP	<b>BA1400241</b>
	HS754861 – SHP – '13 - HEP	
	Other Expenses	\$ 150,000.00

Funding Source: United States Department of Housing & Urban Development.

E.	21A931 - Helping Ohio Parents Advocacy	<b>BA1400246</b>
	CF754705 – Helping Ohio Parents Advocacy	
	Other Expenses	\$ 20,000.00

Funding Source: Ohio Department of Job and Family Services/Casey Family Programs- Helping Ohio Parent Effectively (HOPE) grant.

F.	01A001 – General Fund	<b>BA1400573</b>
	AE511451 – Board and Care of Prisoners	
	Other Expenses	\$ 600,000.00

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

G.	01A001 – General Fund	<b>BA1400574</b>
	MI100594 – Self Insurance Fund	
	Other Expenses	\$ 350,000.00

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

H.	01A001 – County Executive Transition		<b>BA1400340</b>
	EX016030 – County Executive Transition		
	Personal Services	\$	135,000.00
	Other Expenses	\$	115,000.00

Funding Source: The source of funding is the General Fund. Per Council Ordinance No. O2014-0022.

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

<b><u>Fund Nos./Budget Accounts</u></b>		<b><u>Journal Nos.</u></b>	
A. FROM:	01A001 – General Fund		<b>BA1400333</b>
	FS109652 – Fiscal Operations – Contractual Services		<b>BA1400334</b>
	Other Expenses	\$	8,000.00
TO:	01A001 – General Fund		
	FS109645 – Fiscal Operations – Records/Licenses/Outreach		
	Other Expenses	\$	8,000.00

Funding Source: The source of funding is General Fund.

B. FROM:	01A001 – General Fund		<b>BA1400338</b>
	IT601138 – Wide Area Network (WAN) Services		
	Other Expenses	\$	19,624.15
TO:	01A001 – General Fund		
	IT601096 – Engineering Services		
	Other Expenses	\$	19,624.15

Funding Source: The source of funding is General Fund.

C. FROM:	01A001 – General Fund		<b>BA1400339</b>
	IT601047 – Web & Multimedia Development		
	Other Expenses	\$	455,000.00
TO:	01A001 – General Fund		
	IT601138 – Wide Area Network (WAN) Services		
	Capital Outlays	\$	455,000.00

Funding Source: The source of funding is General Fund.

D. FROM:	24A640 – FCFC Public Assistance		<b>BA1400243</b>
	FC451492 – Family and Children First Council PA		
	Other Expenses	\$	5,000.00
TO:	24A640 – FCFC Public Assistance		
	FC451492 – Family and Children First Council PA		
	Capital Outlay	\$	5,000.00

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

E. FROM:	24A510 – Work and Training Admin WT137463 – VEB Building NFSC Personal Expenses	\$	1,395,000.00	<b>BA1400244</b>
	24A510 – Work and Training Admin WT137109 – Admin Services Personal Expenses	\$	10,000.00	
TO:	24A510 – Work and Training Admin WT137141 – Client Support Services Personal Expenses	\$	175,000.00	
	24A510 – Work and Training Admin WT137315 – Work First Services Personal Expenses	\$	40,000.00	
	24A510 – Work and Training Admin WT137414 – Southgate NFSC Personal Expenses	\$	470,000.00	
	24A510 – Work and Training Admin WT137430 – Ohio City NFSC Personal Expenses	\$	215,000.00	
	24A510 – Work and Training Admin WT137455 – Quincy Place NFSC Personal Expenses	\$	390,000.00	
	24A510 – Work and Training Admin WT137539 – West Shore NFSC Personal Expenses	\$	115,000.00	

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

F. FROM:	50A410- Cuyahoga Regional Information System JA090068 –J.A. Cuyahoga Regional Information System Personal Services	\$	2,200.00	<b>BA1400510</b>
TO:	50A410- Cuyahoga Regional Information System JA090068 –J.A. Cuyahoga Regional Information System Capital Outlays	\$	2,200.00	

Funding Source: Funding is user fees and court costs collected on moving violations covering the period January 1, 2014 through December 31, 2014.

G. FROM:	01A001- General Fund JA100354 –Justice Services-CECOMS Personal Services	\$ 18,600.00	<b>BA1400514</b>
TO:	01A001- General Fund JA100354 –Justice Services-CECOMS Other Expenses Capital Outlays	\$ 12,600.00 \$ 6,000.00	

Funding Source: Funding is from the General Fund covering the period January 1, 2014 through December 31, 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:	<b>JT1400055</b>
01A001 – General Fund SU513523 – Whiskey Island Purchase GF Subsidy Transfer Out	\$ 1,352,000.00
TO:	
40A069 – Capital Projects Fund CC766543 – Whiskey Island Purchase Revenue Transfer	\$ 1,352,000.00

Funding Source: Cash from the General Fund is transferred on an annual basis to make the payment. This amount covers the remaining balance for this transaction

**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 CC016  
October 14, 2014



EDWARD FITZGERALD  
Cuyahoga County Executive

October 7, 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 October 14, 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.

Temporary/Permanent Use of Reserves	Amount
<b>TOTAL</b>	<b>0</b>

General Fund/Health & Human Services	Amount
Whiskey Island Purchase – Increasing appropriation to cover a cash transfer for the final year balloon payment of the promissory note for the purchase of Whiskey Island. Funding is from General Fund reserves.	\$1,352,000.00
Board and Care of Prisoners – Additional appropriation to provide funding through year-end due to inmate population increase and delay of the Euclid Jail Project. Funding is from the General Fund.	\$600,000.00
Self-Insurance Fund – Additional appropriation to cover the full and final settlement of a lawsuit filed in the U.S. District Court for Northern District of Ohio, per R2014-0237. Funding is from the General Fund.	\$350,000.00
County Executive Transition – An additional appropriation to support the County Executive Transition Act (O2014-0022). Funding is from the General Fund.	\$250,000.00
<b>TOTAL</b>	<b>\$2,552,000.00</b>

Other Operating Funds	Amount
Inspector General – Increase in appropriation to cover the hiring of a Support Research Assistant as well as to cover postage and printing costs. Funding is from fees generated from vendor registrations.	\$19,540.19
<b>TOTAL</b>	<b>\$19,540.19</b>

Grants/Projects	Amount
Information Technology Capital Project – Increasing appropriation to cover the purchase of new desktop/laptop computers and tablet computers as established in the Information Technology Capital Improvement Plan. Funding is from the General Fund.	\$150,000.00

Homeless Services – To appropriate recent award from the U.S. Department of Housing and Urban Development in connection to the Continuum of Care for Homeless Assistance.	\$150,000.00
Children and Family Services – To appropriate recent award from the Ohio Department of Job and Family Services’ Casey Family Programs’ Helping Ohio Parent Effectively (HOPE) grant.	\$20,000.00
<b>TOTAL</b>	<b>\$320,000.00</b>

<b>Total Additional Appropriations - All Funds</b>	<b>\$2,891,540.19</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 R2013-0229. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

**APPROPRIATION STATUS SUMMARY:**

	<u>10/14/14 Agenda</u>	<u>R2013-0229*</u>	<u>Adjusted Annual Appropriation</u>
General Fund Impact	\$ 2,552,000.00	\$ 377,204,012.00	\$ 384,862,330.72
HHS Levy Impact	\$ 0.00	\$ 235,311,170.00	\$ 237,804,788.32
Other Fund Impact	\$ <u>339,540.19</u>	\$ <u>693,095,162.00</u>	\$ <u>980,171,248.20</u>
<b>Total Impact</b>	<b>\$ 2,891,540.19</b>	<b>\$1,305,610,344.00</b>	<b>\$ 1,602,838,367.24</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>
Fiscal Department/Operations – Realigning appropriation to cover a lease agreement and for printing and postage costs for the Microfilm/Scanning Center. Funding is from the General Fund.	\$8,000.00
Information Technology – Realigning appropriation to cover the purchase of Red Hat Directory Server licenses. Funding is from the General Fund.	\$19,624.15
Information Technology – Realigning appropriation to cover a contract for Category-O Dark Fiber associated with the County’s new Wide-Area Network (WAN) contracts. Funding is from the General Fund.	\$455,000.00
Family and Children First Council – Realigning appropriation to cover the replacement cost of four computers and other office equipment. Funding is from the Health and Human Services Levy Fund.	\$5,000.00
Cuyahoga Job and Family Services – Realigning appropriation within Public Assistance funds to cover personal services through year-end. Funding is from Federal and State sources, as well as, the Health and Human Services Levy Fund.	\$1,405,000.00
Public Safety and Justice Services – Realigning appropriation within the CECOMS account to cover the purchase of batteries, and workstations, as well as, AT&T invoices. Funding is from the General Fund.	\$18,600.00
<b>TOTAL</b>	<b>\$1,911,224.15</b>

<b>Other Operating Funds</b>	<b>Amount</b>
Public Safety and Justice Services – Realigning appropriation within the Regional Enterprise Data Sharing System account to cover the purchase of back-up tapes. Funding is from user fees and court costs collected on moving violations.	\$2,200.00
<b>TOTAL</b>	<b>\$2,200.00</b>

<b>Total Appropriation Transfers - All Funds</b>	<b>\$1,913,424.15</b>
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**Cash Transfer Summary** – Operating transfers support operating expenditures, related to a cash matches for a grants, transfer of taxes or fees to a debt service fund, transfers from the General Fund to a capital project fund or operating subsidies to special revenue funds, enterprise funds, or internal service funds. This type of transaction posts as an expenditure and sufficient appropriation must be available to process the transaction.

<b>General Fund/Health &amp; Human Services</b>	<b>Amount</b>
Whiskey Island Purchase – A cash transfer for the final year balloon payment of the promissory note for the purchase of Whiskey Island. Funding is from the General Fund.	\$1,352,000.00
<b>TOTAL</b>	<b>\$1,352,000.00</b>
<b>Total Cash Transfers - All Funds</b>	<b>\$1,352,000.00</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



EDWARD FITZGERALD  
Cuyahoga County Executive

## MEMORANDUM

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TO: Jeanne Schmotzer, Clerk of Council

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

DATE: October 7, 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 October 14, 2014. The requested fiscal items including additional appropriations, appropriation transfers, and cash transfers meet agency budgetary needs.

### **Resolution: Additional Appropriations**

A. 40A069 – Capital Project Future Debt Issuance **BA1400715**  
IT768440 – New Desktops/Laptops/Tablets  
Capital Outlays \$ 150,000.00

Increase in appropriation is requested to refresh and purchase new desktop/laptop and tablet computers as established in the Information Technology Capital Improvement Plan. Funding is from the General Fund reserves.

B. 01A001 – General Fund **BA1400568**  
SU513523 – Whiskey Island Purchase – General Fund Subsidy  
Other Expenses \$ 1,352,000.00

An additional appropriation is requested to allow a cash transfer for the final year balloon payment of the promissory note for the purchase of Whiskey Island. Funding is from the General Fund.

C. 20A378 – Inspector General – Vendor Fees **BA1400335**  
IG030429 – Inspector General – Vendor Fees  
Personal Services \$ 4,440.19  
Other Expenses \$ 15,100.00

An increase in appropriation is requested to support the hiring of a Support Research Assistant staff member as well as postage and printing related to mailing matters for contractors. The source of funding is from fees associated with Inspector General Vendor Registration.

Fiscal Office  
Office of Budget & Management  
2079 E. 9<sup>th</sup> Street, Cleveland, OH 44115, (216) 443-7220, FAX (216) 443-8193  
Ohio Relay Service (TTY) 711

D.	22A287 - SHP - HEP	<b>BA1400241</b>
	HS754861 – SHP – '13 - HEP	
	Other Expenses	\$ 150,000.00

Request to provide appropriation for The Office of Homeless Services recent award from the United States Department of Housing & Urban Development FY13 in connection with the Continuum of Care for Homeless Assistance programs to provide Supportive Services to families and single women in the West Side Catholic Shelter and the Domestic Violence Shelter through the Housing Empowerment Program in the amount of \$150,000.00 covering the period May 01, 2014 through June 30, 2016.

E.	21A931 - Helping Ohio Parents Advocacy	<b>BA1400246</b>
	CF754705 – Helping Ohio Parents Advocacy	
	Other Expenses	\$ 20,000.00

Request to provide appropriation for the Department of Children and Family Services for the recent award from ODJFS/Casey Family Programs- Helping Ohio Parent Effectively (HOPE) grant award to provide financial assistance to public children services agencies (PCSA) such as DCFS to further efforts to engage parents involved with the child welfare system in a meaningful way by utilizing primary parent partners as additional support for families and as a complement to the daily efforts of agency caseworkers for the period commencing June 1, 2014 through December 31, 2014.

F.	<b>01A001</b> – General Fund	<b>BA1400573</b>
	AE511451 – Board and Care of Prisoners	
	Other Expenses	\$ 600,000.00

Increase appropriation to provide sufficient funding for the remainder of the year due to the increase in inmate population in the county jail that exceeds capacity. The original budget was reduced to fund the Euclid Jail Project that was to be operational July 1 and then adjusted to September 1 however the project will not be fully operational until December. In 2013 the average daily population was 55 inmates and through August 2014 the average daily population is 70 inmates. Funding is from the General Fund covering the period January 1, 2014 through December 31, 2014.

G.	01A001 – General Fund	<b>BA1400574</b>
	MI100594 – Self Insurance Fund	
	Other Expenses	\$ 350,000.00

Increase appropriation for full and final settlement award as authorized by County Council R2014-0237 for a lawsuit filed in the U.S. District Court for Northern District of Ohio “Nancy Kovacic, et al vs. Cuyahoga County Department of Children and Family Services, et al” United States District Court case no 1:05CV2746. Per Council Resolution 2014-0237 Section 3 the appropriation is to be requested at the first meeting in October 2014 and such appropriation is hereby approved. Funding is from the General Fund reserves covering the period January 1, 2014 through December 31, 2014

H.	01A001 – County Executive Transition		<b>BA1400340</b>
	EX016030 – County Executive Transition		
	Personal Services	\$	135,000.00
	Other Expenses	\$	115,000.00

An increase in appropriation is requested to support the County Executive Transition Act. The source of funding is the General Fund. Per Council Ordinance No. O2014-0022.

**Resolution: Appropriation Transfers:**

A. FROM: 01A001 – General Fund **BA1400333**  
FS109652 – Fiscal Operations – Contractual Services **BA1400334**  
Other Expenses \$ 8,000.00

TO: 01A001 – General Fund  
FS109645 – Fiscal Operations – Records/Licenses/Outreach  
Other Expenses \$ 8,000.00

The Fiscal Department is requesting an appropriation transfer for the Microfilm/Scanning Center lease in Maple Heights and for printing and postage costs. The source of funding is General Fund.

B. FROM: 01A001 – General Fund **BA1400338**  
IT601138 – Wide Area Network (WAN) Services  
Other Expenses \$ 19,624.15

TO: 01A001 – **General Fund**  
IT601096 – Engineering Services  
Other Expenses \$ 19,624.15

The Department of Information Technology is requesting an appropriation transfer for the purchase of Red Hat Directory Server Licenses. The source of funding is General Fund.

C. FROM: 01A001 – General Fund **BA1400339**  
IT601047 – Web & Multimedia Development  
Other Expenses \$ 455,000.00

TO: 01A001 – General Fund  
IT601138 – Wide Area Network (WAN) Services  
Capital Outlays \$ 455,000.00

The Department of Information Technology is requesting an appropriation transfer for the contract for Category-O Dark Fiber associated with the County’s new WAN contracts. The source of funding is General Fund.

D. FROM: 24A640 – FCFC Public Assistance **BA1400243**  
FC451492 – Family and Children First Council PA  
Other Expenses \$ 5,000.00

TO: 24A640 – FCFC Public Assistance  
FC451492 – Family and Children First Council PA  
Capital Outlay \$ 5,000.00

Family and Children First Council has requested an appropriation transfer to realign appropriation to cover the cost of replacing four computers and various other office equipment destroyed due to flooding. The funding source is primarily the Health and Human Services Levy Fund.

E.	FROM:	24A510 – Work and Training Admin WT137463 – VEB Building NFSC Personal Expenses	\$ 1,395,000.00	<b>BA1400244</b>
		24A510 – Work and Training Admin WT137109 – Admin Services Personal Expenses	\$ 10,000.00	
	TO:	24A510 – Work and Training Admin WT137141 – Client Support Services Personal Expenses	\$ 175,000.00	
		24A510 – Work and Training Admin WT137315 – Work First Services Personal Expenses	\$ 40,000.00	
		24A510 – Work and Training Admin WT137414 – Southgate NFSC Personal Expenses	\$ 470,000.00	
		24A510 – Work and Training Admin WT137430 – Ohio City NFSC Personal Expenses	\$ 215,000.00	
		24A510 – Work and Training Admin WT137455 – Quincy Place NFSC Personal Expenses	\$ 390,000.00	
		24A510 – Work and Training Admin WT137539 – West Shore NFSC Personal Expenses	\$ 115,000.00	

The Department of Job and Family Services has requested appropriation transfers to realign appropriations within Public Assistance index codes to cover projected personal services shortfalls for the remainder of the year, due to various realignments of staff. The funding source is primarily Federal/State as well as the Health and Human Services Levy Fund.

F.	FROM:	50A410- Cuyahoga Regional Information System JA090068 –J.A. Cuyahoga Regional Information System Personal Services	\$ 2,200.00	<b>BA1400510</b>
	TO:	50A410- Cuyahoga Regional Information System JA090068 –J.A. Cuyahoga Regional Information System Capital Outlays	\$ 2,200.00	

Transfer appropriation within the Department of Public Safety and Justice Services' Cuyahoga County Regional Information System now known as Regional Enterprise Data Sharing System account for a pending expenditure initiated by the Department of Information Technology for back-up tapes. A surplus in personal services exists due to vacancies. Funding is user fees and court costs collected on moving violations covering the period January 1, 2014 through December 31, 2014.

G.	FROM:	01A001- General Fund	<b>BA1400514</b>
		JA100354 –Justice Services-CECOMS	
		Personal Services	\$ 18,600.00
	TO:	01A001- General Fund	
		JA100354 –Justice Services-CECOMS	
		Other Expenses	\$ 12,600.00
		Capital Outlays	\$ 6,000.00

Transfer appropriation within the Department of Public Safety and Justice Services' CECOMS account for batteries and AT& T invoices (\$12,600) and a pending expenditure for workstations (\$6,000). A surplus in personal services exists due to vacancies. Funding is from the General Fund covering the period January 1, 2014 through December 31, 2014.

**Resolution: Cash Transfers:**

A.	FROM:	01A001 – General Fund		<b>JT1400055</b>
		SU513523 – Whiskey Island Purchase GF Subsidy		
		Transfer Out	\$	1,352,000.00
	TO:	40A069 – Capital Projects Fund		
		CC766543 – Whiskey Island Purchase		
		Revenue Transfer	\$	1,352,000.00

A cash transfer is required to fund the final balloon payment of the note obligation for Whiskey Island. Whiskey Island was purchased by the County in 2004. A promissory note in the amount of \$2,250,000 was to be paid back over a 10-year schedule. Cash from the General Fund is transferred on an annual basis to make the payment. This amount covers the remaining balance for this transaction

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0241

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works on behalf of Cuyahoga County Veterans Service Commission</b></p>	<p><b>A Resolution</b> authorizing an amendment to Contract No. CE0900320-01 with Investment Properties, Ltd. for lease of office space located at 1835 Prospect Avenue, Cleveland, for use by the Veterans Service Commission for the period 10/1/2009 - 9/30/2014 to extend the time period to 9/30/2019 and for additional funds in the amount not-to-exceed \$1,019,132.40; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works on behalf of Cuyahoga County Veterans Service Commission recommended an amendment to Contract No. CE0900320-01 with Investment Properties, Ltd. for lease of office space located at 1835 Prospect Avenue, Cleveland, for use by the Veterans Service Commission for the period 10/1/2009 - 9/30/2014 to extend the time period to 9/30/2019 and for additional funds in the amount not-to-exceed \$1,019,132.40; and

WHEREAS, the primary goal of this project is to extend the term of the original Lease for an additional five (5) years at a decreased rent of \$14.50 per square foot; and

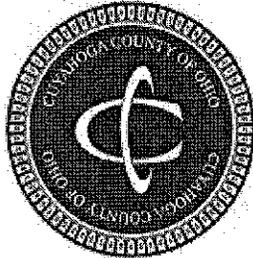
WHEREAS, this project is funded 100% by the General Fund; and

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 authorizes an amendment to Contract No. CE0900320-01 with Investment Properties, Ltd. for lease of office space located at 1835 Prospect Avenue, Cleveland, for use by the Veterans Service Commission for the period 10/1/2009 - 9/30/2014 to extend the time period to 9/30/2019 and for additional funds in the amount not-to-exceed \$1,019,132.40.

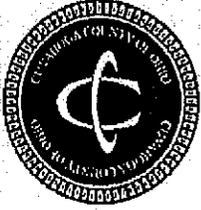




**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer	<b>Agency/Dept. Head Name:</b>	Jamal H. Husani, P.E.
<b>Type of Request:</b>	Contract/Amendment		
<b>Request Prepared by:</b>	John Myers	<b>Telephone No.</b>	216-698-2517
<b>SUMMARY OF REQUESTED ACTION:</b>			
<b>Summary of Request Action:</b>			
<p><b>A.</b> Department of Public Works, 2014, Request Authority to extend the Lease Term of the lease for the Veterans Services Commission Offices location for a Sixty 60 month or 5 year term. The VSC is currently located at 1835 Prospect, Cleveland, Ohio (PPN 103-02-119). The current square footage of 14,057 square feet and 45 parking spaces will remain the same. The term will be extended 5 years and the total rent will be decreased.</p> <p>The original five year term contracted for a total of \$2,410,134.00 which included preparing the space for VSC use. The new, amended 5 year renewal term will be decreased to a total cost of \$1,019,132.40. The annual rent will be \$203,826.48 or approximately \$14.50 per square foot.</p> <p><b>Term:</b> Lease Term is 10/01/2014 to 09/30/2019 Sixty (60) Months or Five (5)Years.</p> <p><b>B. Procurement:</b> Procurement method was by RFQ</p> <p><b>C. Contract &amp; Project Information:</b> Veterans Service Commission Offices located at 1835 Prospect, Cleveland, Ohio (PPN 103-02-019).</p> <p><b>D. Project Status and Planning:</b> This lease will be extended by Sixty 60 months or 5 years.</p> <p><b>E. Funding:</b> General Fund</p> <p><b>PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):</b></p> <p><b>Explanation for late submittal:</b></p>			





# Principal Owner Form

(Required Document for Award Recommendations/Purchases)

**VENDOR:** Please complete the following information and return it to the Cuyahoga County "Requestor"

Company Name (Legal name of the business):	TERRY POLTORAK, Kenneth F. Lutke PARTNERS, Investment Properties LLC
Principal Owner's Name (The legal name of the owner/s of the business):	TERRY L. Poltorak
Owner/Officer's Title:	Partner
Business Address:	3705 Carnegie Ave Cleveland OH 44115
Phone Number:	216-361-6500
Name of Person Completing Form:	TERRY L. Poltorak
Signature:	
Title:	Partner

If there is more than one (1) principal owner, please complete information for that / those person(s) as well.  
If a corporation, please identify the CEO, President or other officers of the Corporation representing shareholders.

**CUYAHOGA COUNTY STAFF:**

I certify that I have checked the debarment list on the Cuyahoga County Inspector General's website and the debarment list did not contain the above detailed vendor and/or principal owner.

Signature: Terry L. Poltorak

Date: 8-8-14

Printed Name: TERRY L. POLTORAK

Inspector General Vendor ID#: \_\_\_\_\_

Cuyahoga County  
(Principal Owner Form, 1-30-14)



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0242

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> authorizing a revenue generating Utility Agreement with Village of Oakwood for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 18; 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 Public Works/Division of County Engineer recommends approval of a revenue generating utility agreement with the Village of Oakwood for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 18; and

WHEREAS, the Village of Oakwood desires to retain Cuyahoga County to perform certain services for the Village of Oakwood to aid with the maintenance and repair of sanitary sewers, storm sewers and water lines located in Sewer District No. 18; and

WHEREAS, pursuant to R.C. §307.15, a county may contract with any municipal corporation to render any service, on behalf of the municipal corporation; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical sewer maintenance and repair services can be provided by Cuyahoga County for the Village of Oakwood's sewer system.

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

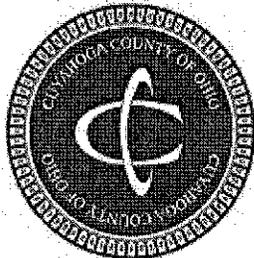
**SECTION 1.** That the Cuyahoga County Council hereby approves the revenue generating utility agreement with the Village of Oakwood for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 18.

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

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble.



# NovusAGENDA



2

**Item Details:**

<b>Agency/Dept. Name:</b>	County Engineer/Sanitary Engineering Division	<b>Agency/Dept. Head Name:</b>	Jamal Husani
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**Type of Request:** Agreement/Amendment

<b>Request Prepared by:</b>	Paul Wilson	<b>Telephone No.</b>	216-348-3984
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**SUMMARY OF REQUESTED ACTION:**

**A. SCOPE OF WORK SUMMARY**

1. Department of Public Works requesting the approval of an agreement with the Village of Oakwood for Sanitary Sewer Maintenance. This is a revenue generating contract. There is no cost associated with this specific contract. The agreement is effective immediately upon approval with the anticipated date of November 1, 2014. **declaring the necessity that this Resolution become immediately effective.**

2. The primary goal of this Agreement is to set forth the responsibilities of the respective parties under the Agreement as well as establish a rate which the County will charge the Village of Oakwood for services.

3. Under the provision of the Ohio Revised Code Section 6117.02, this County may levy an assessment to pay the cost and expense of the maintenance and operation of such sewerage improvements.

**B. PROCUREMENT**

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

**C. CONTRACTOR AND PROJECT INFORMATION**

1a. The address for contact is:

Village of Oakwood  
24800 Broadway Avenue  
Oakwood, OH 44146

2. The owner is the Village of Oakwood.

3a. N/A

3b. The Village of Oakwood is located in Council District 6.

**D. PROJECT STATUS AND PLANNING**

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

**E. FUNDING**

- 1. As noted, there is no cost associated with this specific contract with the Village of Oakwood.
- 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:**

**Funding source:    Explanation:**

**Total Amount Requested:**

\$

**ATTACHMENTS:**

Click to download

[Agreement](#)

**History**

Time

Who

Department of Law

Approval



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0243

<p>Sponsored by: <b>County Executive FitzGerald/Department of Development</b></p>	<p><b>A Resolution</b> authorizing an Economic Development Collateral Enhancement in the amount not-to-exceed \$5,000,000.00 for the benefit of Schofield Properties, LLC for renovation and redevelopment of the historic Schofield Building, located at 2000 East 9<sup>th</sup> Street, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said collateral enhancement and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Development recommends an Economic Development Collateral Enhancement in the amount not-to-exceed \$5,000,000.00 for the benefit of Schofield Properties, LLC for renovation and redevelopment of the historic Schofield Building, located at 2000 East 9<sup>th</sup> Street, Cleveland; and

WHEREAS, the primary goal of this project is to assist in obtaining financing for the renovation and redevelopment of the historic Schofield Building located at 2000 East 9<sup>th</sup> Street, Cleveland, in Council District 7; and

WHEREAS, the collateral enhancement was considered and recommended for approval by the Cuyahoga County Community Improvement Corporation (CCCIC) on 9/10/2014; and

WHEREAS, this project is funded 100% by the Cuyahoga County Western Reserve 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 authorizes an Economic Development Collateral Enhancement in the amount not-to-exceed \$5,000,000.00 for the benefit of Schofield Properties, LLC for renovation and

redevelopment of the historic Schofield Building, located at 2000 East 9<sup>th</sup> Street, Cleveland.

**SECTION 2.** That the Deputy Chief of Staff of Development or Director of Development is authorized to execute all documents consistent with said collateral enhancement and this Resolution.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

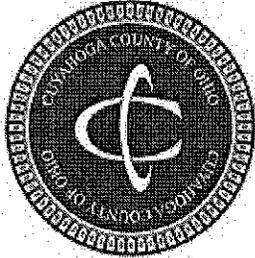
\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



3

**Item Details:**

<b>Agency/Dept. Name:</b>	Department Development	<b>of Agency/Dept. Head Name:</b>	Larry Benders, Director
<b>Type of Request:</b>	Other		
<b>Request Prepared by:</b>	Laura Clark	<b>Telephone No.</b>	698.2575

**SUMMARY OF REQUESTED ACTION:**

TITLE: Development/2014/Schofield Properties, LLC/Economic Development Program/2000 E. 9th Street/Cleveland

A. Scope of Work Summary

1. Department of Development requesting approval of an Economic Development Collateral Enhancement to Schofield Properties, LLC in the amount not-to-exceed \$5,000,000, respectively and authorizing the Director of Development to execute the documents, amendments, subordination agreements and other instruments and agreements, with such parties that may be required or appropriate to effectuate the collateral enhancement.
2. The primary goals of the project are to assist with renovations and redevelopment of the historic Schofield Building, which is located at the southwest corner of E. 9th Street and Euclid Avenue in downtown Cleveland. Specifically, the County's collateral enhancement will induce Wells Fargo Bank to lend an additional \$5 million to the project. The project will create 80, new to Cuyahoga County, full-time equivalent jobs through the Kimpton Hotel operations. Total project costs exceed \$45 million and the County loans total \$5,000,000.

B. PROCUREMENT: Economic Development Project

The collateral enhancement was considered by the Cuyahoga County Community Improvement Corporation (CCCIC) on September 10, 2014. The CCCIC recommends approval of the collateral enhancement.

C. CONTRACTOR AND PROJECT INFORMATION:

1. Economic Development Project borrower:  
Schofield Properties, LLC  
1110 Euclid Avenue, Suite 300  
Cleveland, Ohio 44115

County Council District 7  
2. The list of principal owners is attached.  
3. The location of the project is  
Schofield Building  
2000 E. 9th Street  
Cleveland, Ohio 44115  
County Council District 7

D. PROJECT STATUS AND PLANNING: The Department of Development has Economic Development programs for eligible businesses that create employment opportunities and promote economic growth in the County.

E. FUNDING: This project will be funded by the Cuyahoga County Western Reserve Fund.

**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>
General Fund	Cuyahoga County Western Reserve Fund

**Total Amount Requested:**  
\$5,000,000

**ATTACHMENTS:**

Click to download

- [Executive Summary](#)
- [Principal Owners](#)

**History**  
Time

**Who**  
Clerk of the Board

**Approval**





## Department of Development

### PROJECT EXECUTIVE SUMMARY

**PROJECT NAME:** Schofield Building Redevelopment  
**DATE:** October 14, 2014  
**DOD Program:** Business Growth and Attraction – Collateral Enhancement

#### OVERVIEW

1. **Borrower:** Schofield Properties, LLC is an Ohio limited liability company that was formed by Madison Real Estate Developers, LLC, Steven A. Calabrese, Brian M. Intihar, David S. Calabrese, Eric M. Calabrese, David Fortunato, Charles Valentine, Vincent Nardi, Michael D. Siegel Trust(s), and Manbro R.E. IV, LP to acquire the loan property.
2. **Project Location & Council District:** 2000 E. 9<sup>th</sup> Street – District 7
3. **Partners in the Project:** State of Ohio
4. **Project Summary:** Schofield Properties, LLC is requesting up to \$5,000,000 from the Cuyahoga County Western Reserve Fund through a Collateral Enhancement to induce Wells Fargo to lend additional funds that will finance project costs associated with building renovations and modernization.
5. **CCCIC Review Date:** September 10, 2014

#### METRICS

1. **Jobs Created/Retained:** 80/0
2. **Economic Impact:** Increased property taxes, increased income taxes
3. **Community Benefit:** Job opportunities, improve an empty and blighted property, leverage state and federal historic tax credits

#### COSTS

1. **Total Project Costs:** \$45,264,565
2. **Loan Amount:** NA
3. **Qualifies for these Funding Sources:** CDBG, Western Reserve Fund, BRF, etc. (all that apply)
4. **Sources and Uses:**

<u>Sources</u>		<u>Uses</u>	
Wells Fargo Bank	\$25,845,215	Acquisition	\$3,050,000
Equity	\$11,419,350	Renovations	\$38,464,565
Tax Credit Equity	\$7,500,000	Developer Fee	\$3,750,000
Kimpton Contribution	\$500,000		
Total Sources	\$45,264,565	Total Uses	\$45,264,565

## **TERMS**

1. Cuyahoga County to provide \$5 million in collateral in favor of Wells Fargo Bank, which is the first mortgage/construction/tax credit bridge lender.
2. **Term of Collateral Enhancement:** Maximum 7-year term
3. **Security/Collateral/Guarantor(s):** Second priority mortgage, corporate guaranty and personal guarantees

## **STAFF**

**Name** Laura Clark

**Title** Senior Development Finance Analyst

**Phone** (216)698-2575

**E-mail** lclark@cuyahogacounty.us

Schofield Properties, LLC is an Ohio limited liability company that was formed by Madison Real Estate Developers, LLC, Steven A. Calabrese, Brian M. Intihar, David S. Calabrese, Eric M. Calabrese, David Fortunato, Charles F. Valentine, Vincent Nardi, Michael D. Siegel Trust(s), and Manbro R.E. IV, LP to acquire the loan property.

Madison Real Estate Developers, LLC is 100% owned by Steven A. Calabrese and family members and Manbro R.E. IV, LP is 100% owned by Parkwood, which is comprised of members of the Mandel family.

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0244

Sponsored by: <b>County Executive FitzGerald/Department of Human Resources</b>	<b>A Resolution</b> authorizing an agreement with City of Chardon for participation in the Cuyahoga County Benefits Regionalization Program for the period 3/1/2014 - 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 Chardon for participation in the Cuyahoga County Benefits Regionalization Program for the period 3/1/2014 – 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; and

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes an agreement with the City of Chardon for participation in the Cuyahoga County Benefits Regionalization Program for the period 3/1/2014 – 12/31/2016.

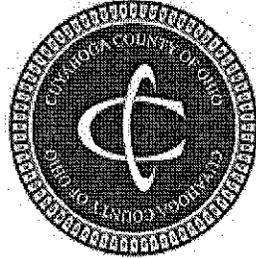
**SECTION 2.** That the County Executive is authorized to execute an agreement of cooperation with the City of Chardon consistent with this Resolution.

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

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the



# Novus AGENDA



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>			
<b>Request Prepared by:</b>	Pat Smock	<b>Telephone No.</b>	443-3187
<b>SUMMARY OF REQUESTED ACTION:</b>			
Department of Human Resources, submitting an agreement with City of Chardon for participation in the Cuyahoga County Benefits Regionalization Program for the period 3/1/2014 - 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

- [Benefits Regionalization presentation](#)
- [Chardon Agreement](#)

History

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0245

Sponsored by: <b>County Executive FitzGerald/Department of Human Resources</b>	<b>A Resolution</b> authorizing an agreement with City of Cleveland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 9/1/2014 - 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 Cleveland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 9/1/2014 – 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; and

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

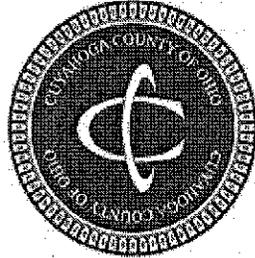
**SECTION 1.** That the Cuyahoga County Council hereby authorizes an agreement with the City of Cleveland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 9/1/2014 – 12/31/2016.

**SECTION 2.** That the County Executive is authorized to execute an agreement with the City of Cleveland Heights consistent with this Resolution.

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



# Novus AGENDA



5

**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>	Pat Smock	<b>Telephone No.</b>	443-3187
<b>SUMMARY OF REQUESTED ACTION:</b>			
Department of Human Resources, submitting an agreement with City of Cleveland Heights for participation in the Cuyahoga County Benefits Regionalization Program for the period 9/1/2014 - 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

- [Benefits Regionalization Presentation](#)
- [Cle Hts Benefits Regionalization Agree](#)
- [Cle Hts Benefits Regionalization Addendum](#)
- [Cle Hts Benefits Regionalization Letter](#)
- [Cleve. Hts Run Out](#)

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0246

Sponsored by: <b>County Executive FitzGerald/Medical Examiner</b>	<b>A Resolution</b> authorizing a revenue generating agreement with City of Cleveland in the amount not-to-exceed \$2,033,333.00 for Crime Lab testing services for the period 11/1/2014 - 12/31/2025; 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/Medical Examiner recommends approval of a revenue generating agreement with City of Cleveland in the amount not-to-exceed \$2,033,333.00 for Crime Lab testing services for the period 11/1/2014 - 12/31/2025; and

WHEREAS, the primary goal of the agreement with the City of Cleveland is to provide scientific testing services to be utilized by law enforcement; and

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

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

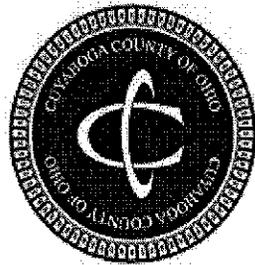
**SECTION 1.** That the Cuyahoga County Council hereby approves a revenue generating agreement with City of Cleveland in the amount not-to-exceed \$2,033,333.00 for Crime Lab testing services for the period 11/1/2014 - 12/31/2025.

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

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



**Novus AGENDA**



**Item Details:**

<b>Agency/Dept. Name:</b>	County Coroner	<b>Agency/Dept. Head Name:</b>	Dr. Thomas P. Gilson
<b>Type of Request:</b>	Agreement/Amendment		
<b>Request Prepared by:</b>	Hugh B. Shannon	<b>Telephone No.</b>	4

**SUMMARY OF REQUESTED ACTION:**

Submitting a revenue generating agreement with City of Cleveland in the amount of \$200,000 annually (2014 pro-rated for \$33,333) for Crime Lab testing services for the period October 1, 2014 - Dec. 31, 2025.

**A. Scope of Work Summary**

1. Medical Examiner is requesting approval of revenue generating renewal agreements with the listed agency and for the listed fees. The anticipated start-completion dates are for the effective dates of October 1, 2014 through December 31, 2025. This is for unlimited testing.
2. The primary goals of the project are to provide forensic testing services for law enforcement and other justice related public agencies throughout Cuyahoga County.

**B. Procurement: N/A**

**C. Contractor and Project Information**

1. The address is:  
 City of Cleveland  
 601 Lakeside Ave.  
 Cleveland, OH 44114  
 Frank Jackson, Mayor  
 Michael McGrath, Director of Public Safety  
 Calvin Williams, Chief of Police

**D. Project Status and Planning**

1. The Regional Crime Lab is an on-going service being provided.

2. The Regional Crime Lab now has 20 law enforcement agencies including CMHA. An additional 5 were added during 2013.
3. The Regional Crime Lab is on a critical action path because testing for law enforcement impacts jail expenses, prosecution time, court dockets and a variety of other significant public costs (both financial and quality of life). Formal agreements had not been done in the past in the format required by the Law Department but an interruption in testing services was not feasible.
4. Therefore, the project's term has already begun at time of passage. The reason there was a delay in this request is in being able to provide agency with the proper formatted agreement.
5. The agreements need a signature in ink by the earliest possible time.

**E. Funding**

1. The Regional Crime Lab is funded by the General Fund, fees, Intergovernmental revenues (both monetary and in-kind) and grants. For this particular item, no additional funds are required as this is a revenue generating agreement.
2. The schedule of payments is by invoice.

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

The Cuyahoga County Medical Examiner's Office Regional Forensic Science Laboratory ("The Crime Lab"), provides laboratory testing services for a number of agencies, including law enforcement, to conduct the swift and accurate dispensation of justice. Further, the County Crime Lab provides services that individual communities would not normally be able to replicate on their own and not in as efficient and cost effective manner. The various laboratories include: DNA including sexual assault kits, Drug Chemistry, Parentage & Identification, Toxicology, Trace Evidence. Beginning in 2015, will also include fingerprints and ballistics testing.

**Explanation for late submittal:**

Formatting and negotiation with Cleveland

**Contract/Agreement Information:**

**Procurement Method:**

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

**Financial Information:**

**Funding source:      Explanation:**

**Total Amount Requested:**

\$

**ATTACHMENTS:**

Click to download

[New Cleveland Agreement](#)

**History**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0247

<p>Sponsored by: <b>County Executive FitzGerald on behalf of Cuyahoga County Court of Common Pleas /Corrections Planning Board</b></p>	<p><b>A Resolution</b> making an award on RQ30402 to Oriana House, Inc. in the amount not-to-exceed \$744,000.00 for the Cognitive Skills Development Program for the period 7/1/2014 - 6/30/2017; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
--	--

WHEREAS, the County Executive on behalf of the Cuyahoga County Court of Common Pleas/Corrections Planning Board recommends an award on RQ30402 to Oriana House, Inc. in the amount not-to-exceed \$744,000.00 for the Cognitive Skills Development Program for the period 7/1/2014 – 6/30/2017; and

WHEREAS, the primary goals of this project are to provide an alternative sentencing option for offenders with moderate to high risk scores and for offenders with technical violations in order for them to change their behaviors and attitudes by utilizing self-improvement sanctions; and

WHEREAS, this project is funded 100% by the Ohio Department of Rehabilitation and Corrections 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.

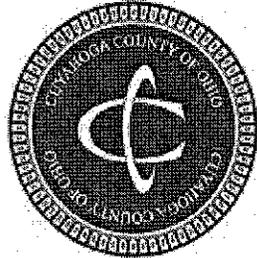
**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RQ30402 to Oriana House, Inc. in the amount not-to-exceed \$744,000.00 for the Cognitive Skills Development Program for the period 7/1/2014 – 6/30/2017.

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

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members





7

**Item Details:**

**Agency/Dept. Name:** Common Pleas Court/Corrections Planning Board **Agency/Dept. Head Name:** Martin P. Murphy

**Type of Request:** Contract/Amendment

**Request Prepared by:** Mellany M. Seay **Telephone No.:** (216) 443-4908

**SUMMARY OF REQUESTED ACTION:**

Recommending an award and submitting a contract on RQ30402 to Oriana House Inc., in the amount not to exceed \$744,000.00 for cognitive skills development group counseling services for probationers under the active supervision of the Cuyahoga County Adult Probation Department for the period July 1, 2014 through June 30, 2017. (Resolution No. DC2014-81- authority to seek proposals.)

**A. Scope of Work Summary**1. Common Pleas Court Corrections Planning Board submitting an award and requesting approval of a contract, with Oriana House, Inc. for the anticipated cost not-to-exceed \$744,000. The anticipated start-completion dates are 07/01/2014- 06/30/2017.2. The primary goals of the project are (list 2 to 3 goals).a. Provide an alternative sentencing option for offenders with moderate to high risk scores and for offenders with technical violationsb. Incorporate evidenced-based approaches to changing offender's behavior and attitudes. The potential long-term benefits include, improving public safety through less crime victimization, positive impact on reducing the Common Pleas Court's dockets and technical violations, and reducing the costs of incarceration.**B. Procurement**1. The procurement method for this project was RFP. The total value of the RFP, was \$765,450.00. 2. The above procurement method was closed on May 05, 2014. 3. There was 1 proposal pulled from OPD, 1 proposal submitted for review, 1 proposal approved. **C. Contractor and Project Information**1. The address(es) of all vendors and/or contractors is (provide the full address in the following format):Oriana House, Inc.885 East Buchtel AvenueP.O. Box 1501Akron, Ohio 44309-1501Council District 2. The President/CEO for the contractor/vendor is James J. Lawrence3.a The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):Oriana House, Inc.1276 West Third Street, 1<sup>st</sup>

FloorCleveland, Ohio 44113 **D. Project Status and Planning**1. The project reoccurs annually. 2. Not applicable3. Not applicable4. The project's term has already ended. The reason there was a delay in this request is that the department was negotiating terms of the contract.5. Not applicable. **E. Funding**1. The project is funded 100% by Ohio Department of Rehabilitation and Corrections funds. 2. The schedule of payments is monthly by invoice

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

This programming will provide an alternative sentencing option for offenders with moderate to high risk scores and for offenders with technical violations. It is the hope that by providing cognitive skill development to all county probationers who are moderate to high risk, that the Cuyahoga County Adult Probation Department will be incorporating evidenced-based approaches to changing offender's behavior and attitudes and the long-term benefits will improve public safety through less crime victimization as well as have a positive impact on reducing the Common Pleas Court's dockets and technical violations as well the high costs of incarceration.

**Explanation for late submittal:**

Contract Negotiations

**Contract/Agreement Information:**

**Procurement Method:**

RFP (Request for Proposal)

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

Same amount

**Financial Information:**

**Funding source:**

State

**Explanation:**

Ohio Dept. of Rehabilitation and Correction Community Correction Act Grants

**Total Amount Requested:**

\$744,000

**ATTACHMENTS:**

Click to download

- [Dept Ack](#)
- [RFP Proposal](#)
- [RFP Addendum](#)
- [Oriana Insurance](#)
- [Workers Comp](#)
- [Auditors Findings Oriana House](#)
- [Oriana House Evaluation Form](#)
- [Oriana Signature Authority](#)
- [POF Oriana](#)
- [Oriana Vendor Compliance](#)
- [Confidential Oriana Financial Statements](#)
- [Contract Oriana House - TAB](#)

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

**Contractor:** Oriana House, Inc.

**Contract/Agreement No.:** CE1100473 **Time Period:** 07/01/11 – 06/30/14

**Service Description:** Cognitive skills programming for medium to high risk offenders under the supervision of the Adult Probation Department.

**Original Contract/Agreement Amount:** \$744,000.00

**Prior Amendment(s) Amount(s):** -\$60,000

**Performance Indicators:**  
Develop programming and initiate orientation sessions to introduce appropriate offenders and encourage them to participate in this self-improvement sanction; 2.) Work with Probation Department liaison to coordinate and fill groups to move this programming to full service; 3.) Report on the progress of the offender and their compliance with the program rules

**Actual performance versus performance indicators (include statistics):**  
Oriana has taken a pro-active approach to introducing their program to offenders by meeting with them and offering orientation sessions within the Department and also at their facility; The Probation liaison and the Oriana program manager have an open and ongoing dialogue with established reporting procedures so that the progress of the offender can be tracked.

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

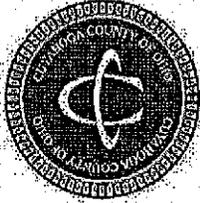
- Superior
- Above Average
- Average
- Below Average
- Poor

**Justification of Rating:** Oriana House, Inc. has been able to place all eligible offenders referred to the program into an orientation session and a group. Committed to current programming, Oriana has updated its programming to National Institute of Correction's latest "Thinking for a Change" curriculum

Corrections Planning Board / Adult Probation  
User Department

September 04, 2014  
Date

s: evaluation



# Principal Owner Form

(Required Document for Award Recommendations/Purchases)

**VENDOR:** Please complete the following information and return it to the Cuyahoga County "Requestor"

Company Name (Legal name of the business):	Oriana House, Inc
Principal Owner's Name (The legal name of the owner/s of the business):	JAMES J. LAWRENCE
Owner/Officer's Title:	President, CEO
Business Address:	PO BOX 1501 AKRON, OH 44309
Phone Number:	330.535.8116
Name of Person Completing Form:	Lisa Frasher
Signature:	<i>Lisa Frasher</i>
Title:	Assistant to the VPs

If there is more than one (1) principal owner, please complete information for that / those person(s) as well. If a corporation, please identify the CEO, President or other officers of the Corporation representing shareholders.

**CUYAHOGA COUNTY STAFF:**

I certify that I have checked the Debarment/Suspension lists on the Cuyahoga County Inspector General's website and the Debarment/Suspension lists did not contain the above detailed vendor and/or principal owner.

Signature: \_\_\_\_\_

Date: 9/4/2014

Printed Name: \_\_\_\_\_

Mellany M. Seay

Inspector General "Registered Contractor" Number: \_\_\_\_\_

12-2124

Cuyahoga County  
(Principal Owner Form, 02-05-14)

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0248

<p>Sponsored by: <b>County Executive FitzGerald on behalf of Cuyahoga County Court of Common Pleas / Corrections Planning Board</b></p>	<p><b>A Resolution</b> authorizing a contract with Court Community Service in the amount not-to-exceed \$555,000.00 for the Community Works Service Placement and Supervision Program for the period 1/1/2015 - 12/31/2017; 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.</p>
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WHEREAS, the County Executive on behalf of the Cuyahoga County Court of Common Pleas/Corrections Planning Board has recommended a contract with Court Community Service in the amount not-to-exceed \$555,000.00 for the Community Works Service Placement and Supervision Program for the period 1/1/2015 - 12/31/2017; and

WHEREAS, the primary goals of this project are: (1) to provide cost effective and centralized means of administering and developing community service placement activities to eligible offenders, and (2) to expose eligible offenders to positive work habits and positive role models while rendering restitution to the community; and

WHEREAS, this project is funded 100% by the General Fund; and

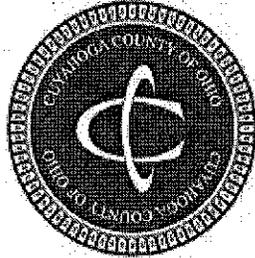
WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes a contract with Court Community Service in the amount not-to-exceed \$555,000.00 for the Community Works Service Placement and Supervision Program for the period 1/1/2015 - 12/31/2017.

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





8

**Item Details:**

<b>Agency/Dept. Name:</b>	Common Pleas Court/Corrections Planning Board	<b>Agency/Dept. Head Name:</b>	Martin Murphy
<b>Type of Request:</b>	Contract/Amendment		
<b>Request Prepared by:</b>	Mellany M. Seay	<b>Telephone No.</b>	(216) 443-4908
<b>SUMMARY OF REQUESTED ACTION:</b>			
Submitting a Contract in the amount not to exceed \$555,000.00 with Court Community Service Inc., for Community Work services for the period January 01, 2015 through December 31, 2017.			
<b>Title:</b> Cuyahoga County Common Pleas Court Adult Probation Department 2014 Court Community Service Inc. Contract RQ31333			
<b>A. Scope of Work Summary</b> 1. Cuyahoga County Common Pleas Court Adult Probation Department requesting approval of a contract with Court Community Service, Inc. for the anticipated cost not-to-exceed \$555,000.00. The anticipated start-completion dates are 01/01/2015- 12/31/2017.2. The primary goals of the project are (list 2 to 3 goals).a)To provide a cost-effective, centralized means to administer and develop community service sentencing programs.b)To provide placement and supervision services for referred defendants who are required to perform community service work.c)To expose offenders to positive work habits, positive role models, and provides a means for constructive use of "free-time".			
<b>B. Procurement</b> 3. The proposed contract, received an RFP, exemption on July 14, 2014. The approval letter is attached for review.			
<b>C. Contractor and Project Information</b> 1. The address(es) of all vendors and/or contractors is: Court Community Service 614 W. Superior Avenue Cleveland, Ohio 44113-1386 Council District (xx)2. The executive director for the contractor/vendor is Paul Klodor.			
<b>D. Project Status and Planning</b> 1. The project reoccurs annually.			
<b>E. Funding</b> 1. The project is funded 100% by the General Fund. 2. The schedule of payments is monthly, by invoice.			
<b>PURPOSE/OUTCOMES - PRINCIPAL OWNER(S):</b>			
Community service placement activities serve as a means for providing offender restitution to the community, act as a cost-effective alternative to jail and provide the Court with an			

alternative to financial sanctions (fines/costs) for indigent offenders. These offenders are directed to complete this work to satisfy conditions of community control / probation supervision, requirements of the Early Intervention Program, requirements of the Pre-trial Felony Diversion Program and as a community control probation sanction. Specific placement is determined based on community service order requirements, nature of offense and availability of offender.

**Explanation for late submittal:**

**Contract/Agreement Information:**

**Procurement Method:**

Other

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

**Financial Information:**

<b>Funding source:</b>	<b>Explanation:</b>
General Fund	100% General Fund

**Total Amount Requested:**  
\$555,000

**ATTACHMENTS:**

Click to download

- [CWS Contract - TAB](#)
- [CWS Insurance](#)
- [CWS Workers Comp](#)
- [CWS W-9](#)
- [CWS Evaluation](#)
- [Court Community Service Auditors Findings](#)
- [REQ 31333](#)
- [State of Ohio Certificate Court Community Service](#)
- [Dept Ack](#)
- [Signature Authority](#)
- [POF Court Community Service](#)
- [Contract Cover - TAB](#)
- [Voucher](#)

**History**

Time

Who

Office of Procurement & Diversity

Approval



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

**Contractor:** Court Community Service

**Contract/Agreement No.:** CE1200074    **Time Period:** 01/01/12 – 12/31/14

**Service Description:** Placement of offenders into community work service as ordered by the Court of Common Pleas.

**Original Contract/Agreement Amount:** \$555,000.00

**Prior Amendment(s) Amount(s):** \$0

**Performance Indicators:**  
1. Offenders referred to CCS for community service;  
2. Supervision and transporting of offenders to assigned work locations;  
3. Collection of court ordered offender participation fees;  
4. Reporting of offenders' activities and completion of assignments, as ordered.

**Actual performance versus performance indicators (include statistics):**  
1. Strict work site supervision of offenders placed in work crews by CCS staff;  
2. CCS collected participation fees from offenders;  
3. The Court receives a detailed list of offenders, placements, time worked, time missed each month.

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

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

**Justification of Rating:** Court Community Service is a reliable, well functioning organization that provides quality services to the Court for placement and supervision sanctions levied against offenders placed on probation and in need of accepting responsibility for their actions.

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

\_\_\_\_\_  
**Date**



## Principal Owner Form

*(Required Document for Award Recommendations/Purchases)*

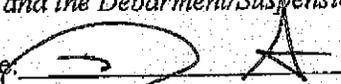
**VENDOR:** Please complete the following information and return it to the Cuyahoga County "Requestor"

Company Name (Legal name of the business):	Court Community Service
Principal Owner's Name (The legal name of the owner/s of the business):	
Owner/Officer's Title:	Paul J. Klodor, Executive Director
Business Address:	614 W. Superior Ave. Suite 900 Cleveland OH 44113
Phone Number:	(216) 297-4028
Name of Person Completing Form:	Paul J. Klodor
Signature:	
Title:	Executive Director

If there is more than one (1) principal owner, please complete information for that / those person(s) as well.  
If a corporation, please identify the CEO, President or other officers of the Corporation representing shareholders.

**CUYAHOGA COUNTY STAFF:**

*I certify that I have checked the Debarment/Suspension lists on the Cuyahoga County Inspector General's website and the Debarment/Suspension lists did not contain the above detailed vendor and/or principal owner.*

Signature:  \_\_\_\_\_ Date: 9/3/14

Printed Name: Mellany M. Seay

Inspector General "Registered Contractor" Number: 12-0985

Cuyahoga County  
*(Principal Owner Form, 02-05-14)*

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0231

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b></p>	<p><b>A Resolution</b> making an award on RQ30137 to Hilton Supply Management, LLC in the amount not-to-exceed \$150,000.00 to arrange for the purchase, delivery and installation of certain operating supplies and equipment (“OS&amp;E”) for use in the operation of the Hotel; authorizing Hilton Supply Management, LLC to act as the County’s agent to purchase OS&amp;E in the amount not-to-exceed \$7,200,000.00 for use in the operation of the Hotel; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County has determined to engage Hilton Supply Management, LLC (“HSM”) to perform purchasing services for the Downtown Cleveland Convention Center Hotel Project (the "Project"), and

WHEREAS, in response to the RFQ #30137, HSM submitted a proposal and a scope of services on March 25, 2014, which pursuant to a selection process, was determined by the Department of Public Works to be the most suitable for this Agreement; and

WHEREAS, the County desires to engage the services of HSM to arrange for the purchase, delivery and installation of certain operating supplies and equipment (hereinafter referred to as "OS&E") for use in the operation of the Project as a hotel ("Hotel"), and HSM desires to perform such services for the compensation and pursuant to the terms and conditions described in this Agreement;

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

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on RFQ #30137 to HSM in the amount not-to-exceed \$150,000.00 and authorizes the entry of a Purchasing Agreement with HSM to act as the County's agent to purchase OS&E in the amount not-to-exceed \$7,200,000.00 for use in the operation of the Hotel.

**SECTION 2.** Any and all exemptions from competitive bidding and/or authorizations to engage in an alternative procurement process required pursuant to the County's Contracting and Purchasing Laws for anything contemplated in this Resolution or the Purchasing Agreement with HSM are hereby granted.

**SECTION 3.** That the County Executive or his authorized designee is authorized to take all actions, and to execute, acknowledge, and deliver (a) all documents and instruments necessary or desirable to facilitate and/or consummate the transactions contemplated hereby, including, but not limited to, the Purchasing Agreement and all documents to be executed by the County pursuant to the Resolution, (b) all other and further documents, instruments, certificates, agreements, amendments, assignments, consents, affidavits, certifications, payments, disbursements, and notices, and (c) 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 herein, in all cases containing such terms and conditions as may be approved by the County's Director of Law or his designee.

**SECTION 4.** That the Director of Public Works is authorized to administer the Project and all actions contemplated by this Resolution through its milestones and be responsible for any ongoing approval rights (including the approval of invoices) under the Agreements contemplated herein.

**SECTION 5.** That all documents to be executed in connection with the transactions contemplated herein be subject to the Law Director or his designee's approval, including as to legal form and correctness.

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



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0232

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> making an award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for the Jane Edna Hunter and Emergency Men’s Shelter Roof Renovation Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended making an award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for roof renovation project at Jane Edna Hunter Building and Emergency Men’s Shelter; and

WHEREAS, the primary goal of the project to removal of existing roofing and insulation; installation of new insulation and roofing systems; removal of skylight systems; and installation of new skylights systems; and

WHEREAS, this project is located at the Jane Edna Hunter Building located at 3955 Euclid Avenue, Cleveland and Emergency Men’s Shelter located at 2100 Lakeside Avenue, Cleveland, located in Council District; and

WHEREAS, this project is funded 100% through Capital Project Bond Issue; and

WHEREAS, construction is scheduled to begin 10/20/2014 and scheduled to be completed 5/28/2015; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby makes an award on award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for roof renovation and replacement at Jane Edna Hunter Building and Emergency Men’s Shelter.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0233

Sponsored by: <b>County Executive FitzGerald/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> authorizing a revenue generating Utility Agreement with Village of Highland Hills for maintenance and repair of storm sewers, sanitary sewers and water lines 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.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer recommends approval of a revenue generating Utility Agreement with Village of Highland Hills for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 5; and

WHEREAS, the Village of Highland Hills desires to retain Cuyahoga County to perform certain services for the Village of Highland Hills to aid with the maintenance and repair of sanitary sewers, storm sewers and water lines located in Sewer District No. 5; and

WHEREAS, pursuant to R.C. §307.15, a county may contract with any municipal corporation to render any service, on behalf of the municipal corporation; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical sewer maintenance and repair services can be provided by Cuyahoga County for the Village of Highland Hills' sewer system.

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

**SECTION 1.** That the Cuyahoga County Council hereby approves the revenue generating utility agreement with the Village of Highland Hills for the maintenance and repair of sanitary sewers, storm sewers and water lines located in Cuyahoga County Sewer District No. 5.

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

**SECTION 3.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0234

<p>Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and Councilmember Miller</b></p>	<p><b>A Resolution</b> authorizing a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; 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.</p>
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WHEREAS, on July 22, 2014, Cuyahoga County Council enacted Ordinance No. O2014-0018, which authorized the County to enter into Pay For Success contracts and created the “Social Impact Financing Fund” to be held on the books of the County to be administered by the County’s Fiscal Office and be used to make payments under the Pay For Success contracts; and

WHEREAS, the County Executive/Department of Health and Human Services/Division of Children and Family Services has submitted a Pay For Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services for children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; and

WHEREAS, the Pay For Success contract provides a mechanism to bring financial support from the private and non-profit sectors to innovative social programs with the goal of better social outcomes for the targeted populations, and savings to the County through a reduction in the amount of expenses tied to the targeted populations; and

WHEREAS, the County agrees to appropriate \$1,000,000.00 each year of the Pay for Success contract to be deposited in the Social Impact Financing Fund and to make success payments according to the terms of the Pay for Success contract; and

WHEREAS, the County shall make success payments in an amount not-to-exceed \$5,000,000.00 only in the event the intervention program contemplated under the Pay For Success contract results in the reduction of the length of stay of children in foster care within the target population, as determined by an independent evaluator, and according to the terms of the Pay For Success contract; 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 a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020.

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

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

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

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

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee: September 23, 2014  
Committee(s) Assigned: Health, Human Services & Aging

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0235

<p>Sponsored by: <b>County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council</b></p>	<p><b>A Resolution</b> authorizing an amendment to Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting Point for out-of-school time and transition services for the Out-of-School Time Program for the period 9/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; 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.</p>
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WHEREAS, the County Executive/Department of Human Resources has recommended approval of an amendment to Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting Point for out-of-school time and transition services for the Out-of-School Time Program for the period 9/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; and

WHEREAS, the goals of this project are: 1) to provide out-of-school time services including after school and summer programming for children and teenagers; 2) to provide professional development for youth workers; 3) to implement data collection processes; 4) to provide tutoring programs; 5) to provide Kindergarten readiness services; and 6) to provide college access programming for high school juniors and seniors; and

WHEREAS, this Contract will be funded 100% by the Health and Human Services Levy 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 amends Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting



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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0236

<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 a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016; 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.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has authorized a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016; and

WHEREAS, the PRE4CLE program provides high quality pre-school services to all 4 year olds residing in the City of Cleveland; and

WHEREAS, the primary goals of this project are to: 1) work with existing child care providers to fund additional high quality child care slots; and 2) conduct an evaluation of the PRE4CLE program; and

WHEREAS, this project is funded 100% by the Health and Human Services levy 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 authorizes a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016.



# County Council of Cuyahoga County, Ohio

## Resolution No. R2014-0212

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System</b></p>	<p><b>A Resolution</b> authorizing an agreement with City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015; 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 Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System has submitted an agreement with the City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015; and

WHEREAS, the primary goal of this project is for the City of Cleveland to take responsibility for answering 9-1-1 cellular calls originating from the Cuyahoga Emergency Communications System (CECOMS); and

WHEREAS, the County will support the City of Cleveland's increased responsibility with funding made available through the 9-1-1 Wireless Government Assistance 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 the County.

**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 Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: August 26, 2014  
Committee(s) Assigned: Public Safety & Justice Affairs

Committee Report/Second Reading: September 23, 2014

Journal CC016  
October 14, 2014

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0031

Sponsored by: <b>County Executive FitzGerald</b>	<b>An Ordinance</b> amending the County's Debarment Law to clarify that the period of debarment under Chapter 505 of the Cuyahoga County Code commences from the date of issuance of the debarment, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the County's debarment law was enacted to strengthen the citizens' trust in the County's contracting processes and to also provide risk mitigation;

WHEREAS, in light of recent rulings by the Debarment Review Board, it is necessary to amend the debarment law to clarify the commencement date for the debarment period under the County law commences from the date of issuance of the debarment; 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 the County departments.

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

**SECTION 1.** Section 505.10 of the Cuyahoga County Code is hereby amended and replaced in its entirety to read as follows:

**Section 505.10 Commencement of Debarment Period and Good Faith in Exercising Discretion**

**A. Debarment Period to Commence from Date of Issuance of Debarment.**

The debarment period for any debarment issued under this Chapter shall commence from the date of the Inspector General's issuance of the debarment and posting of the debarment on the Inspector General's web site.



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

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

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0032

Sponsored by: <b>County Executive FitzGerald/Department of Law and Councilmember Miller</b>	<b>An Ordinance</b> enacting the County's Administrative Procedures Act, including establishment of the Administrative Rules Approval Board and procedures for the publication of the Cuyahoga County Administrative Code; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Council deems it necessary to enact the County's Administrative Procedures Act to streamline the process under which the County adopts, amends, and administers administrative county policies, rules, and regulations;

WHEREAS, Council deems it necessary for the County to launch an administrative code containing the County's administrative rules, policies, and regulations to be published online and readily accessible;

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 departments.

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

**SECTION 1.** Chapter 102 of the Cuyahoga County Code is hereby amended as follows:

- (a) The term "Administrative Code" is hereby added to the definitions in Chapter 102 as follows:

**"Administrative Code"** shall mean the Cuyahoga County Administrative Code published pursuant to Chapter 113 of the County Code.

- (b) The Clerk of Council shall affix the proper numbering for the term "Administrative Code" in Chapter 102 and renumber the remaining definitions in the Chapter accordingly.

**SECTION 2.** Section 205.09 of the Cuyahoga County Code is hereby enacted to read as follows:

**Section 205.09 Administrative Rules Approval Board**

**A. Establishment.**

1. **Establishment:** There is hereby established the Cuyahoga County Administrative Rules Approval Board. It shall consist of the following five members:
  - i. The Director of Law;
  - ii. The Director of Budget and Management;
  - iii. The Deputy Law Director in charge of Risk Management; and
  - iv. Two attorneys appointed by the Director of Law for one-year terms. The Director of Law shall ensure that the two attorneys selected for these appointments have diverse legal experiences, such as differing practice areas.
2. **Jurisdiction:** The Administrative Rules Approval Board shall perform all functions assigned to it in the Cuyahoga County Code.

**B. Alternates.** Alternates on the Administrative Rules Approval Board shall be appointed as follows:

1. The Director of Law shall appoint a Deputy or other high-level attorney from the Department of Law to attend meetings of the Board as an alternate if he or she is unable to attend a meeting.
2. The Director of Budget and Management shall appoint an alternate from within the Office of Budget and Management to attend meetings if he or she is unable to attend a meeting.
3. The Director of Law shall appoint an attorney to attend meetings of the Board as an alternate if the Deputy Law Director in charge of Risk Management is unable to attend a meeting.
4. The Director of Law shall appoint an alternate for each appointed-attorney member of the Board. The appointment of alternates shall not disturb the legal-experience diversity on the Board

- C. Alternates Have Full Rights.** Any properly appointed alternate shall have all the rights and responsibilities of a member of the Administrative Rules Approval Board when attending a meeting on behalf of a member.
- D. Officers.** The Director of Law shall serve as Chairperson of the Administrative Rules Approval Board. If the Director of Law is absent from any meeting, the Board shall choose one of its members to chair that meeting. For purposes of this section, the Director of Law shall include his or her alternates.
- E. No Additional Compensation, Collective Action, and Conflicts of Interest.**
1. The members of the Administrative Rules Approval Board shall not receive compensation for their service on the Board. Members of the Board shall be entitled to reimbursement of reasonable and necessary expenses incurred by them in the exercise of their duties as approved by the Director of Law from the Law Department's budget.
  2. The Administrative Rules Approval Board is a board created by law, and its members act collectively in their official capacities. It shall not be a conflict of interest for a Board member to advocate, deliberate, or vote on a matter affecting their respective department, board, agency, commission, office, or the authority.
- F. Clerk of the Administrative Rules Approval Board.** The County Executive shall designate a staff person to serve as the Clerk of Administrative Rules Approval Board. The Clerk shall be responsible for publishing the agendas and meeting notices and shall record and publish the minutes.
- G. Agendas and Meeting Notices.** The Clerk of the Administrative Rules Approval Board shall publish the notice and agenda for each Board meeting on the County's web site no later than 6:00 p.m. on the second business day before the Board meeting. The Board may amend the agenda and may also consider items not on the agenda by a vote of a majority of the members present either personally or through their alternates.
- H. Regular Meetings.** The Administrative Rules Approval Board shall schedule regular meetings to take place at least once a week for the first year of its operations and then at least once every two weeks thereafter. If no business is pending before the Board, the Director of Law may instruct the Clerk of the Board to cancel any regular meeting for lack of sufficient business pending before the Board by publishing the cancellation notice on the County's web site.

- I. Special Meetings.** The Administrative Rules Approval Board may conduct special meetings at a time other than its regularly scheduled meeting times. In the event of an emergency as determined by the Director of Law, the Board may conduct a meeting with less notice than that required under paragraph G herein. For any special or emergency meeting, in addition to the notice requirements of paragraph G, the Clerk of the Board shall also send notice to all news media organizations that request to be notified of such meetings.
- J. Public Meetings.** The meetings of the Administrative Rules Approval Board shall be open to the public. The Board shall also provide an opportunity for public comment on matters before the Board toward the beginning of the meeting. The Board may require presenters to register with the Board before speaking and may set time limits on presentations, which may be extended at the discretion of the Chairperson.
- K. Executive Sessions.** The Administrative Rules Approval Board may go into executive session to discuss and consider matters permitted to be discussed or considered in executive sessions under the Ohio Open Meetings Act. A motion to go into executive session must state the topic(s) of the executive session and approved by a majority of the members present through a roll call vote.
- L. Minutes.** The Clerk of the Administrative Rules Approval Board shall prepare and publish the minutes of each Board meeting on the County's web site within a week of their approval.
- M. Journal.** The Clerk of the Administrative Rules Approval Board shall maintain a Journal of the Board, containing the notices, agendas, and minutes of all Board meetings. The journal may be maintained electronically.
- N. Quorum.** A quorum of the Administrative Rules Approval Board shall consist of three members attending personally or through their alternates.
- O. Vote Required for Board Actions.** Board action shall require the affirmative vote of any three members attending personally or through their alternates. Amendments to items before the Board and parliamentary motions may be adopted by a majority of those present, provided that a quorum is present.
- P. Rules of Procedure.** The Administrative Rules Approval Board shall adopt its own Rules of Procedure, which shall include the deadlines for submission of requests to the Board and time deadlines for submission of written commentary on requests submitted for the Board's approval.

The minimum deadline for public commentary must not be less than seven days.

**SECTION 3.** Chapter 113 of the Cuyahoga County Code is hereby enacted to read as follows:

**Chapter 113: Administrative Rules**

**Section 113.01 Definitions**

As used in Chapter 113 of the Cuyahoga County Code:

- A. “County Entity” or “County entity” includes the County and any County office, department, agency, board, commission, committee, or other County authority established by or pursuant to the Charter of Cuyahoga County, the Ohio Constitution, or Ohio law.
- B. “Rule” or “rule” means any official and legally binding county rule, policy, or regulation. It does not include internal day-to-day operational or such other managerial rule, policy, or other directive within a county entity.

**Section 113.02 Adoption of Rules**

County entities may adopt, amend, rescind, and administer rules on matters within their respective jurisdictions, as established by the County Charter, this Code, or general law, in accordance with the following procedures:

- A. A county entity seeking to adopt, amend, or rescind a rule shall submit a request, including the specific language of the rule, to the Clerk of the Administrative Rules Approval Board in accordance with the procedures and deadlines established by the Board for such submissions.
- B. The Clerk of the Administrative Rules Approval Board shall publish notice of the request, including the language of the rule, on its web site. The notice shall include the following:
  - 1. The contact information at which written commentary regarding the requested action may be submitted to the requesting county entity;
  - 2. A notice that any party seeking to submit any written commentary shall also provide a copy of its written commentary to the Clerk of the Board;
  - 3. Based on the type of proposed rule, the deadline pursuant to the Board’s Rules of Procedure, by which written public commentary may be submitted; and

4. Notice that any person may also appear at a Board meeting and provide verbal commentary during the public comment period at the beginning of the Board meeting.
- C. Upon expiration of the public comment period outlined in paragraph B, the Clerk shall place the request on the Administrative Rules Approval Board's agenda for consideration.
- D. Each request shall be read at two regular meetings of the Administrative Rules Approval Board before being approved by the Board. The Board may waive the two-reading requirement by a vote of four members of the Board.
- E. The County Entity submitting the request shall send a duly authorized representative, who is familiar with its request, to attend the Board meetings when its rule is being considered to present the request and answer any questions from the Board about the request.
- F. If a County Entity receives commentary or Board feedback on the merits or language of its rule and it deems it appropriate to revise its rule based on such commentary or feedback, the County Entity may revise its rule while it is being considered by the Board by notifying the Board of such revisions.
- G. In ruling on the request to approve a rule, the Administrative Rules Approval Board shall determine (1) whether the requesting entity has the authority to adopt, amend, or rescind the rule and (2) whether the proposed rule conflicts with the County Code. If the Board determines that the proposed rule may properly be adopted as an administrative rule, policy, or regulation and that it does not conflict with the County Code, the Board shall approve the rule. The Board may provide feedback and revision suggestions to the County Entity while it considers the rule, but the Board's vote on approval or denial of the rule shall be based solely on the legality of the rule and whether it conflicts with the County Code.
- H. Any proposed rules approved by the Administrative Rules Approval Board shall go into immediate effect, be legally binding, and be published in the Cuyahoga County Administrative Code.

### **Section 113.03 County Administrative Code**

The Clerk of the Administrative Rules Approval Board shall officially publish the Cuyahoga County Administrative Code and shall continually update the Administrative Code in an expeditious manner as approved by the Director of Law. The Administrative Code shall include all rules approved by the Board. The Clerk of the Board, with the approval of the Director of Law, may make such changes to the Administrative Code, including the numbers, titles and arrangement of articles

and sections, as well as correction of typographical errors, but no such change shall affect the substance or meaning of rules published in the Administrative Code.

**Section 113.04 Supremacy of the County Code**

Should any conflict exist between this Code and the Administrative Code, this Code shall govern.

**Section 113.05 Executive's Authority**

Nothing in Chapter 113 is intended to interfere with the Executive's administrative powers under the Charter and his or her authority to issue directives or executive orders, as approved by the Director of Law. Executive orders shall be electronically filed with the Clerk of Council and the Clerk of the Administrative Rules Approval Board and published on the County's web site.

**Section 113.06 Emergency Authority**

In the event of an emergency, as declared by the County Executive, the County Executive may through the issuance of an Executive Order suspend and/or override the operations of any rule adopted pursuant to this Chapter for a period not to exceed 120 days.

**Section 113.07 Transition Period**

Nothing in Chapter 113 shall affect the legality or binding effect of any administrative county rules, policies, or other regulations that are subject to this Chapter, but were administratively adopted prior to its enactment, through December 31, 2015, but they shall be null and void thereafter. The Clerk of the Administrative Rules Approval Board shall work with county entities to ensure that they are aware of this expiration date and the need to submit all such rules to the Administrative Rules Approval Board's consideration and approval for publication into the County Administrative Code.

**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. O2014-0014

Sponsored by: <b>County Executive FitzGerald/Department of Development and Councilmembers Jones, Connally, Brady, Simon, Hairston, Conwell and Miller</b>	<b>An Ordinance</b> establishing the Cuyahoga County Property Demolition Program, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, vacant and abandoned properties pose a threat to citizens' safety, contribute to an environment that fosters crime, slow community development, depress neighboring property values, and accelerate residential flight;

WHEREAS, numerous studies across the nation, state, and county demonstrate that eradication of vacant and abandoned properties lift property values in moderate and strong market areas;

WHEREAS, it is necessary to use the County's bonding capacity to fund a comprehensive effort to demolish unsalvageable properties countywide to buttress existing community and economic development efforts, accelerate property value growth and to protect and restore neighborhoods;

WHEREAS, strategic demolition in bulk is in the interest of public safety, blight removal, property value stabilization, fiscal responsibility, and long term economic development; and

WHEREAS, strategic demolition in bulk is a necessary initial step towards the creation of a comprehensive County housing policy and redevelopment strategy to promote a healthy housing market environment; and

WHEREAS, the Council intends to appropriate \$50,000,000.00 for the purpose of enabling strategic demolition of the aforementioned properties; 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 the County departments.

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

**SECTION 1.** Chapter 807 of the Cuyahoga County Code is hereby enacted as follows:

## **Chapter 807: Property Demolition Program**

### **Section 807.01 Definitions**

For the purposes of this Chapter, the following definitions will apply:

- A. “Applicant” shall mean a municipality or township located within Cuyahoga County. Applicants may apply to the Property Demolition Program via an authorized agent.
- B. “Dwelling” shall mean either a single-family residential structure or a housing unit located within a multi-family residential structure.
- C. “Land Bank” shall mean the Cuyahoga County Land Reutilization Corporation.
- D. “Round” shall mean each application round of the property demolition grant program administered by the Department of Development.

### **Section 807.02 Property Demolition Fund**

- A. There is hereby created the Cuyahoga County Property Demolition Fund, which shall fund demolition programs to be administered by the County Executive through the Department of Development.
- B. The Property Demolition Fund may be used county-wide for demolition projects with end users both known and unknown, and post-demolition dispositions ranging from buy-hold-and-maintain strategies to site assembly for strategic development and construction. No portion of the Property Demolition Fund shall be allocated to pay the costs of applying for or administration of a demolition project; provided however that an applicant may allocate not more than two percent (2%) of any grant awarded pursuant to this Chapter to engage the Land Bank to act as the applicant’s qualified agent in administering approved demolition projects.

### **Section 807.03 Property Demolition Grant Program**

- A. The Department of Development shall establish and administer a non-competitive, multiple-round grant application process for the purpose of issuing grants to demolish vacant and abandoned structures within Cuyahoga County.
- B. The Department of Development, in consultation with the Land Bank, shall establish eligibility criteria to evaluate applications received in

each round of the program. The eligibility criteria shall be established to evaluate the following factors, exclusively:

1. Whether the applicant has sufficiently identified a target area and/or spot demolition site(s) containing a demonstrable need for demolition;
2. Whether the structures identified by the applicant for demolition have been certified as vacant and abandoned;
3. Whether the applicant has identified a plan for redevelopment or maintenance of the property or properties;
4. Whether the applicant has sufficient capacity to administer the demolition, or intends to engage a qualified agent such as the Land Bank to administer demolition on its behalf; and
5. Whether the applicant has committed and is able to exercise the necessary police powers or has identified alternative legal authority to enable demolition of the identified structure or structures.

The Department of Development may, in consultation with the Land Bank, revise the evaluation criteria following each application round; provided, however that the revised criteria shall continue to meet the requirements of this Section.

- C. A grant shall be awarded to each applicant that meets the eligibility criteria established pursuant to this Section. No individual grant shall exceed \$1,000,000.00 in the first application round. The Department of Development may increase or decrease the maximum grant amount in subsequent rounds; provided however that no individual grant shall exceed \$2,000,000.00 in any round. Not more than \$10,000.00-per-dwelling shall be awarded for the demolition of any residential structure. Not more than \$100,000.00 shall be awarded for the demolition of any individual structure.
- D. Grants made pursuant to this Section shall each be subject to a grant agreement, which shall include the following commitments:
  1. A commitment from the applicant to take all legal actions necessary to enable demolition of the approved structures, including use of police power for condemnation;

2. A commitment from the applicant to abide by minimum demolition standards established by the Department of Development;
  3. A commitment from the applicant to place a lien on all nuisance-abated properties to be demolished except for those properties owned by the Land Bank or the applicant.
  4. A commitment from the applicant to competitively bid all demolition contracts funded in whole or in part by the Property Demolition Program.
- E. To be eligible for subsequent-round grants, an applicant must have satisfactorily fulfilled its obligations under its ongoing grant agreements, including having taken all legal actions necessary to enable demolition of not less than eighty percent (80%) of the structures previously approved for demolition.
- F. All contracts and agreements awarded pursuant to this Section shall be reviewed and approved by the Board of Control unless otherwise referred or transferred to Council for approval in accordance with Chapter 501 of the Cuyahoga County Code.
- G. The County Executive or his authorized designee may take all actions and execute all documents, contracts, amendments, and agreements between Cuyahoga County and the Land Bank as may be necessary to carry out the duties set forth in this Chapter.

#### **Section 807.04 Reporting Requirements**

- A. The Department of Development shall create and maintain an up-to-date listing of all demolition projects, including the following:
1. A list of all parcels and structures requested for demolition through grant applications;
  2. A list of all parcels and structures approved for demolition by the County; and
  3. The ongoing status of each demolition project.
- B. The Department of Development shall issue a report to Council following each round of applications, not less than annually, which shall include the listing specified in paragraph (A), a list of all applicants in each round, a list of properties approved for demolition in each round, a list of properties demolished in each round, the grant amounts awarded

to each applicant in each round, a notification of revisions to the eligibility criteria established pursuant to Section 807.03(B), and any other information as may be requested by members of Council.

**SECTION 2.** 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 3.** It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal 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: April 22, 2014  
Committee(s) Assigned: Committee of the Whole

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

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2014-0027

Sponsored by: <b>County Executive FitzGerald/Fiscal Officer/ Department of Consumer Affairs</b>	<b>An Ordinance</b> enacting Title 13, Chapter 1302 of the Cuyahoga County Code to establish the Cuyahoga County Weights and Measures Code, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Council deems it necessary to adopt the regulations governing the County's Department of Consumer Affairs, Weights and Measures Division; and

WHEREAS, the need to promote honest and fair business practices; and the protection of the citizens of and visitors to Cuyahoga County from unfair and deceptive practices and acts is in the best interest of the public; and

WHEREAS, the public health, safety and welfare of the residents of the County will best be served by enacting a Cuyahoga County Weights and Measures Code that provides for enforcement by the Department of Consumer Affairs through many means; and

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

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

**SECTION 1.** Title 13, Chapter 1302 of the Cuyahoga County Code is hereby enacted as follows:

### **Title 13: Commercial Regulation**

#### **Chapter 1302 Weights and Measures**

##### **Section 1302.01: Definitions**

As used in Chapter 1302:

- (A) "Correct" shall mean conformance to all applicable requirements of this Chapter.
- (B) "Department" shall mean the Cuyahoga County Department of Consumer Affairs.

- (C) “Package” shall mean any commodity enclosed in a container or wrapped in any manner in advance of wholesale or retail sale. An individual item or lot of any commodity on which there is marked a selling price based on an established price per unit of weight or of measure shall be considered a package or packages.
- (D) “Person” shall mean any individual (including a minor child engaged in a consumer transaction), corporation, government, governmental subdivision or agency, business trust, estate, trust partnership, association, cooperative, or other legal entity.
- (E) “Primary standards” means the physical standards of the state that serve as the legal reference from which all other standards and weights and measures are derived.
- (F) “Secondary standards” means the physical standards that are traceable to the primary standards through comparisons, using acceptable laboratory procedures, and used in the enforcement of weights and measures laws and rules.
- (G) “Sale from Bulk” shall mean the sale of commodities when the quantity is determined at the time of the sale.
- (H) “Seal” shall mean the official stamp of the Cuyahoga County Department of Consumer Affairs, Weights and Measures Division, indicating a device has been found to be correct. Such stamp shall include the month and year of the most recent inspection.
- (I) “Sealer” shall mean the Cuyahoga County Fiscal Officer. When in this Chapter the words “Sealer” are used, they shall mean the Fiscal Officer, or any of his or her delegates duly authorized to perform the duties of such officer.
- (J) “Short-weight Packages” shall mean any “standard pack” or “pre-pack commodity” whose net contents is not equal to or exceed the labeled or advertised quantity at the retail outlet.
- (K) “Weight” means as used in connection with any commodity or service net weights. When a commodity is sold by drained weight, the term means net drained weight.
- (L) “Weight(s) and/or Measure(s)” shall mean all weights and measures of every kind, instruments and devices for weighing and measuring, and any appliance and accessories associated with any or all such instruments and devices.

### **Section 1302.02: Filing Consumer Complaints**

Any consumer who feels they have been subjected to unfair or deceptive practices at any time within two years from the date of the alleged violation or within a reasonable time after the consumer discovers or should have discovered the violation, whichever is later,

file a complaint in writing with the Cuyahoga County Department of Consumer Affairs. The complaint should state enough details of the incident so as to allow the Department to investigate the circumstances surrounding the incident, and at a minimum, the complaint should state the name and address of the person alleged to have committed the violation, the details of the violation, and any other information the Department deems necessary.

### **Section 1302.03: Standards for Weights and Measures**

(A) The systems of weights and measures.

The definitions of basic units of weight and measure, the tables of weights and measures, and weights and measures equivalents as published by the National Institute of Standards and Technology are recognized and adopted by the Department and shall govern weighing and measuring equipment and transactions in the county.

(B) Technical requirements for weighing and measuring devices.

The specifications, tolerances, and other technical requirements for commercial, law enforcement, data gathering, and other weighing and measuring devices as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices,” and supplements thereto or revisions thereof, shall apply to weighing and measuring devices in the county, except insofar as modified or rejected by applicable provisions of the Ohio Revised Code or Ohio Administrative Code.

(C) Information required on packages.

Except as otherwise provided in this Chapter or by regulation promulgated pursuant hereto , any package kept for the purpose of sale or offered or exposed for sale shall bear on the outside of the package a definite, plain, and conspicuous declaration of:

- (1) The identity of the commodity in the package, unless the same can easily be identified through the wrapper or container.
- (2) The net quantity of the contents in terms of weight, measure or count.
- (3) The name and place of business of the manufacturer, packer or distributor, in the case of any package kept, offered or exposed for sale or sold in any place other than on the premises where packed.

(D) Declarations of unit price on random weight packages.

In addition to the declarations required in Section 1302.05(I) of this Chapter, any package being one of a lot containing random weights of the same commodity and bearing the total selling price of the package shall bear on the outside of the package a plain and

conspicuous declaration of the price per single unit of weight.

(E) Advertising packages for sale.

Whenever a packaged commodity is advertised in any manner with the retail price stated, there shall be closely and conspicuously associated with the retail price a declaration of quantity as is required by law or regulations to appear on the package. Where a dual declaration is required, the declaration that sets forth the quantity in terms of the smaller unit of weight or measure need appear in the advertisement.

(F) Prohibitions.

No person shall:

- (1) Use or have in possession for use in commerce any incorrect weight or measure.
- (2) Remove any tag, seal, wire or mark from any weight or measure device without specific written authorization from the proper authority.
- (3) Hinder or obstruct any weights and measures' official in the performance of his or her duties.
- (4) Sell, offer or expose, use or keep to be used, any weight or measure for weighing or measuring any article bought, sold, offered or exposed for sale, which is liable to indicate false or inaccurate weight or measure, or which does not conform to the standard established by law.
- (5) Sell, offer or expose any weight or measure for weighing or measuring of products for sale without said weight and measure having been tested, marked and sealed by weights and measures official.
- (6) Misrepresent the price of any commodity or service, sold, offered, exposed or advertised for sale by weight, measure or count, or represent the price in any manner calculated or tending to mislead or in any way deceive a person.

#### **Section 1302.04: Duty of Testing and Sealing**

(A) When necessary for the enforcement of this Chapter, the Sealer is hereby:

- (1) Authorized to enter any commercial premises during normal business hours, except in the event such premises are not open to the public.
- (2) Empowered to issue violations, and condemned from use orders with respect to any weights and measures commercially used, and issue violations and off

sale orders with respect to any packaged commodities or bulk commodities, kept, offered or exposed for sale.

- (3) Empowered to seize, for use as evidence, without formal warrant, any incorrect or unapproved weight, measure, package or commodity found to be used, retained, offered or exposed for sale or sold in violation of the provisions of this Chapter.
- (4) With respect to the enforcement of the weights and measures, the Sealer is hereby vested with the authority and is to investigate any commercial vendors within the county found to possess weighing and/or measuring devices which are in violation of this Chapter.

### **Section 1302.05: Equipment**

- (A) Suitability of equipment.

Commercial equipment shall be suitable for the service in which it is used with respect to elements of its design, including but not limited to its weighing capacity (for weighing devices), its computing capability (for computing devices), its rate of flow (for liquid measuring devices), the character, number size, and location of its indicating or recording elements, and the value of its smallest unit and unit prices.

- (B) Accessibility for testing purposes.

A device shall be so located or such facilities for normal access thereto shall be provided to permit inspecting and testing the device; inspecting and applying security seals to the device, and readily bringing the testing equipment of the weights and measures official to the device by customary means and in the amount and size deemed necessary by such official for the proper conduct of the test. Otherwise, it shall be the responsibility of the device owner or operator to supply such special facilities, including such labor as may be needed to inspect, test, and seal the device, and to transport the testing equipment to and from the device, as required by the weights and measures official.

- (C) Method of operation.

Equipment shall be operated only in the manner that is obviously indicated by its construction or that is indicated by instructions on the equipment.

- (D) Installation.

A device shall be installed in accordance with the manufacturer's instructions, including any instructions marked on the device. A device installed in a fixed location shall be so that neither its operation nor its performance will be adversely affected by any characteristic of the foundation, supports, or any other detail of the installation.

(E) Position of equipment.

A device or system equipped with a primary indicating element and used in direct sales, except for prescription scales, shall be positioned so that its indications may be accurately read and the weighing or measuring operation may be observed from some reasonable “customer” and “operator” position. The permissible distance between the equipment and a reasonable customer and operator position shall be determined in each case upon the basis of the individual circumstances, particularly the size and character of the indicating element.

(F) Maintenance of equipment.

All equipment in service and all mechanisms and devices attached thereto or used in connection therewith shall be continuously maintained in proper operating condition throughout the period of such service. Equipment in service at a single place of business found to be in error predominantly in a direction favorable to the device user shall not be considered “maintained in a proper operating condition.”

(G) Requirements for the method of sale of commodities.

The Uniformed Regulation for the Method of Sale of Commodities as adopted by the National Conference on Weights and Measures and published in National Institute of Standards and Technology Handbook 130, “Uniform Laws and Regulations,” and supplements thereto or revisions thereof, shall apply to the method of sale of commodities in the county, except insofar as modified or rejected by applicable provisions of the Ohio Revised Code or Ohio Administrative Code.

(H) Requirements for packaging and labeling.

The Uniform Packaging and Labeling Regulation as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 130, “Uniform Laws and Regulations,” and supplements thereto or revisions thereof, shall apply to packaging and labeling in the county, except insofar as modified or rejected by regulation.

(I) Requirements for price verification.

The Examination Procedures for Price Verification as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 130, “Uniform Laws and Regulations,” and supplements thereto or revisions thereof, shall apply to price verification in the county, except insofar as modified or rejected by regulation.

(J) Itinerant vendor.

All itinerant vendors using a weighing or measuring device in the county shall have that device inspected and tested by the weights and measures officials at the point of sale.

(K) Obstructing county weights and measures inspector.

No person shall obstruct or hinder county weights and measures inspectors in the performance of any of the duties imposed upon him or her by the provisions of this Chapter.

**Section 1302.06: Fees**

(A) Fees shall be charged once annually, unless a device is ordered to be repaired and must be retested. An additional fee shall be charged for that retest.

(B) The Department is authorized and directed within ninety (90) days of making any test as authorized by law, to present the owner of any scale, measure, or other article so tested with a bill, payable upon receipt directly to Cuyahoga County Department of Consumer Affairs, for testing fees as follows:

Device: Linear Measuring	\$20.00
Device: Liquid Measuring	\$30.00
Scale: Animal	\$10.00
Scale: Computing	\$35.00
Scale: Counter	\$20.00
Scale: Hopper	\$75.00
Scale: Jeweler	\$25.00
Scale: Platform	\$30.00
Scale: Prepackage/Automatic Weighing	\$35.00
Scale: Vehicle	\$75.00
Timing Device: Car Wash	\$10.00
Timing Device: Vacuum or Air Pump	\$10.00
Timing Device: Laundry Dryers	\$10.00
Timing Device: Parking Garage Clocks	\$10.00
Vehicle Tank Meters	\$80.00

(C) All moneys received by the Department shall be paid to the county and such moneys are continuously appropriated to the Department for the purpose of administering the Weights and Measures Division relating to testing, inspection, licensing and regulation of commercial weighing and measuring instruments or devices.

**Section 1302.07: Deceptive Practices Prohibited**

No person shall do any of the following:

- (A) Sell, offer, or expose for sale less than the quantity he represents;
- (B) Take any more than the quantity he represents when, as a buyer, he furnishes the weight or measure by means of which the quantity is determined;
- (C) Represent the quantity he sells or offers or exposes for sale in any manner tending to mislead or in any way to deceive.

**Section 1302.08: Penalties**

- (A) If a test fee prescribed by Section 1302.06 is not received by the Department within ninety (90) days from the date it is due, a late fee of twenty-five percent (25%) shall be imposed in addition to the original fee.
- (B) Upon finding a violation of this Chapter, the Department shall expeditiously cause the same to be corrected or where there is evidence of intent to defraud refer evidence of such violation to the County Prosecutor or other appropriate. In lieu of instituting or continuing a cause of action for recovery of such civil penalty may be released, settled or compromised by the director before the matter is referred to the County Prosecutor or other appropriate agency.
- (C) Seek injunctive relief, upon approval of the County Executive, as a means of enforcing this Chapter. Said injunctive relief may include, but is not limited to, an Assurance of Voluntary Compliance prohibiting the alleged violator from engaging in an unfair or deceptive practice; stipulation for payment of penalty and/or investigative costs. Any settlement shall be in writing and made a matter of public record.
- (D) Violation of an assurance entered into pursuant to this section shall be treated as a violation of this Chapter, and shall be subject to all the penalties provided therefor.
- (E) Any person who violates any provision of this Chapter promulgated pursuant thereto for which specific penalty has not been prescribed, shall be guilty of a misdemeanor, and upon a first conviction thereof shall be punished by a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00), or by imprisonment for not more than three (3) months or both. Upon a subsequent conviction thereof, he or she shall be punished by a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1,000.00) or by imprisonment for up to one year or both.

**Section 1302.09: Fuel Quality Testing**

- (A) Cuyahoga County hereby adopts the “Uniform Engine Fuels and Automotive Lubricants Regulation,” (“Fuel Testing Regulation”) as adopted by the National

Conference on Weights and Measures 2013, and published in the 97<sup>th</sup> National Institute of Standards and Technology Handbook 130 (2014), “Uniform Engine Fuels and Automotive Lubricants Regulations,” as amended. In addition, the county adopts by reference the latest standards established by the American Society for Testing and Materials (ASTM). The county weights and measures officials shall be authorized to perform fuel quality testing pursuant to the Fuel Testing Regulation.

- (B) The Department may issue a stop sale order for violations detected at each pump, hose, and/or storage tanks located at the same fuel dispensing premises. Failure to correct said violation within seven days after the first offense was issued, may constitute a subsequent offense.
- (C) The county shall not charge any inspection or registration fees to perform fuel quality testing pursuant to the “Uniform Fuel Regulations.”
- (D) Whoever violates any provisions of this may be subject to penalties provided in Section 1302.08.

**Section 1302.10: Price Refunds; Price Information**

- (A) A person who uses an electronic scanner to record the price of a commodity or thing and who sells the commodity or thing at a price higher than the posted or advertised price of that commodity or thing at least shall refund to a person who purchases the commodity or thing the difference between the posted or advertised price of the commodity or thing and the price charged at the time of sale.
- (B) A person who sells a commodity or thing and who uses an electronic scanner to record the price of that commodity or thing shall display, in a conspicuous manner, a sign stating the requirement of this section.
- (C) Whoever violates any provisions of this may be subject to penalties provided in Section 1302.08.

**Section 1302.11: Sales of Petroleum Products**

- (A) Definition.

For the purpose of this Chapter, “petroleum products” includes all liquid products having a predominant content of derivatives of petroleum and customarily used in motor vehicles.

- (B) Posting of petroleum product prices.

Every person, business, corporation or service station engaged in the retail sale of gasoline to the general public are required to post on the premises from which such

petroleum product is sold the price of the petroleum products. The signs must be visible to the motorist before entering the station to purchase fuel. The conditions applicable to the sale of the fuel at the advertised price must also be on the advertising sign (i.e., full service or self-service and cash price or credit price). The total size of the figures indicating a fractional or decimal number which is part of the price shall be at least forty percent the size of the largest figure in the whole number accompanying said fractional or decimal number.

(C) Retail dispenser labeling.

All retail dispensing devices must identify conspicuously the type and price of product, the particular grade of the product, and the applicable automotive fuel rating.

(D) Prohibited advertising practices.

No person shall advertise in and about the premises where the petroleum product is sold, whether by display, sign or otherwise, the sale of petroleum products to be sold or delivered by means of a device of the computing type at a price less than that for which said computing device has been set.

(E) Penalties.

Whoever violates any provisions of this may be subject to penalties provided in Section 1302.08.

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: August 26, 2014

Committee(s) Assigned: Education, Environment & Sustainability

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