



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, APRIL 12, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH 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) March 22, 2016 Committee of the Whole Meeting (See Page 15)
 - b) March 22, 2016 Regular Meeting (See Page 17)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**
 - a) **CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**
 - 1) R2016-0074: A Resolution supporting the County's efforts to collaborate with members of the Aerozone Alliance, and

declaring the necessity that this Resolution become immediately effective. (See Page 32)

Sponsors: Councilmembers Miller, Gallagher and Greenspan and County Executive Budish/Department of Development

b) CONSIDERATION OF A RESOLUTION OF COUNCIL FOR THIRD READING ADOPTION

- 1) R2016-0048: A Resolution making an award to College Now Greater Cleveland in the amount of \$500,000.00 from the Cuyahoga County Educational Assistance Fund for Component Two of the Cuyahoga County Educational Assistance Program for the period ending 6/30/2020; 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 35)

Sponsors: Councilmembers Simon and Miller

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

- 1) O2016-0002: An Ordinance amending Titles 4 and 5 of the Cuyahoga County Code to clarify the ethical rights, responsibilities and prohibitions applicable to elected officials, employees, board members, contractors and lobbyists of Cuyahoga County. (See Page 38)

Sponsors: Councilmembers Greenspan, Miller and Simon and County Executive Budish

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

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

- 1) O2016-0008: An Ordinance amending Section 202.18 of the Cuyahoga County Code to provide for creation and adoption of a County Sustainability Plan. (See Page 64)

Sponsors: Councilmembers Miller and Simon and County Executive Budish/Department of Sustainability

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

- 1) R2016-0075: A Resolution approving a proposed settlement and Consent Judgment in connection with *Mulloy, et al. v. Cuyahoga County, et al.*, U.S.D.C. Case No. 1:14cv02546; authorizing the Law Director and/or his designee to execute any supporting documentation; authorizing the appropriation of funds for payment of settlement amounts set forth herein; and declaring the necessity that this Resolution become immediately effective. (See Page 68)

Sponsor: County Executive Budish/Department of Law

- 2) R2016-0076: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Laborers' International Union of North America, Local 860, representing approximately 200 employees in various classifications at the Fiscal Office and Board of Revision for the period 1/1/2016 - 12/31/2018; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 70)

Sponsor: County Executive Budish/Department of Law, Fiscal Office and Board of Revision

- 3) R2016-0077: A Resolution amending the 2016/2017 Biennial Operating Budget for 2016 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 73)

Sponsor: County Executive Budish/Fiscal Officer/Office of Budget and Management

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

- 1) R2016-0078: A Resolution confirming the County Executive's appointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Development Board for an unexpired term ending 6/30/2018, and declaring the necessity that this Resolution become immediately effective: (See Page 91)
 - i) Theodore N. Carter
 - ii) Hermione Malone

Sponsor: County Executive Budish

- 2) R2016-0079: A Resolution confirming the County Executive's reappointment of Karen Moss to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for the term 3/1/2016 - 2/28/2019, and declaring the necessity that this Resolution become immediately effective. (See Page 100)

Sponsor: County Executive Budish

- 3) R2016-0080: A Resolution authorizing the transfer of real property located at E. 79th Street and Hillside Road, Cleveland, also known as Hillside Community Park, Permanent Parcel No. 124-29-010 to Burten, Bell, Carr Development, Inc.; authorizing the County Executive to execute the quit claim deed and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 104)

Sponsor: County Executive Budish/Department of Public Works

- 4) R2016-0081: A Resolution making an award on RQ35911 to Youth Opportunities Unlimited in the amount not-to-exceed \$5,659,912.00 for the Temporary Assistance to Needy Families Summer Youth Employment Program for the period 5/1/2016 - 8/31/2016; 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. (See Page 118)

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

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2016-0056: A Resolution confirming the County Executive's reappointment of various individuals to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2016 - 12/31/2018, and declaring the necessity that this Resolution become immediately effective: (See Page 125)
 - i) Constance Hill-Johnson
 - ii) Sue Biagianti

Sponsor: County Executive Budish

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

- 2) R2016-0063: A Resolution authorizing a First Amendment to Agreement of Sublease with Ohio Department of Rehabilitation and Correction and consented to by Ohio Public Facilities Commission pertaining to the financing of a portion of the cost of the Cuyahoga County Community-based Correctional Facility Project, by changing the aggregate amount of project costs to be paid for or reimbursed from the Adult Correctional Building Fund from \$10,800,000.00 to \$10,842,265.00; 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 128)

Sponsor: County Executive Budish/Department of Public Works

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

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

- 1) R2016-0051: A Resolution confirming the County Executive's appointment of Thomas D. Pristow, upon his taking the oath of office, as Director of the Department of Health and Human Services; and declaring the necessity that this Resolution become immediately effective. (See Page 131)

Sponsor: County Executive Budish

Committee Assignment and Chair: Committee of the Whole – Brady

- 2) R2016-0052: A Resolution confirming the County Executive’s appointment of various individuals to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children’s Trust Fund representing the Great Lakes Region for an unexpired term ending 12/31/2017, and declaring the necessity that this Resolution become immediately effective: (See Page 133)

- i) Councilmember Dale Miller
- ii) Robin Martin

Sponsors: County Executive Budish and Councilmembers Conwell and Germana

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

- 3) R2016-0053: A Resolution confirming the County Executive’s appointment of various individuals to serve on the Cuyahoga Arts and Culture Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 136)

- i) Gwendolyn Garth for an unexpired term ending 3/31/2017.
- ii) Mark Avsec for the term 4/1/2016 - 3/31/2019.

Sponsor: County Executive Budish

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

- 4) R2016-0054: A Resolution confirming the County Executive’s reappointment or appointment of various individuals to serve on the Cuyahoga County Corrections Planning Board for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 139)

- i) Reappointments for the term 1/1/2016 - 12/31/2018:
 - a) The Honorable K. J. Montgomery
 - b) Arthur B. Hill
 - c) Paul Jurcisin
 - d) Russel R. Brown III

- ii) Appointment for an unexpired term ending 12/31/2018:
 - a) Dean Jenkins

Sponsor: County Executive Budish

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

- 5) R2016-0055: A Resolution confirming the County Executive’s reappointment or appointment of various individuals to serve on the Tax Incentive Review Council for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 145)

- i) Reappointments for the term 1/1/2016 - 12/31/2016:
 - a) Joseph Farris
 - b) Marionette Richardson-Scott
 - c) Joseph Micciulla

- ii) Appointment for an unexpired term ending 12/31/2016:
 - a) Lisa Rocco

Sponsor: County Executive Budish

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

- 6) R2016-0064: A Resolution authorizing an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/2/2016 to

establish a guaranteed maximum price in the amount not-to-exceed \$18,000,000.00; 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. [Pending Committee Recommendation] (See Page 148)

Sponsor: County Executive Budish/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Brady

- 7) R2016-0065: A Resolution making an award on RQ35947 to The C. A. Agresta Construction Co. in the amount not-to-exceed \$1,188,333.50 for 2016 Operations Resurfacing Program – Group 1, located in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective: (See Page 151)
- i) Eddy Road from St. Clair Avenue to Interstate 90 in the City of Cleveland.
 - ii) East 152nd Street from Coit Avenue to Woodworth Avenue in the City of East Cleveland.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmembers Hairston and Conwell

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

- 8) R2016-0066: A Resolution making an award on RQ36083 to Chagrin Valley Paving, Inc. in the amount not-to-exceed \$1,194,726.75 for 2016 Operations Resurfacing Program – Group 3, located in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County

Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective: (See Page 154)

- i) Emery Road from Warrensville Center Road to Northfield Road in the Village of North Randall.
- ii) Miles Road from Interstate 480 to North Randall East Corporation Line in the Village of North Randall.
- iii) Solon Road from Bedford Heights West Corporation Line to Bedford Heights East Corporation Line in the City of Bedford Heights.

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

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

- 9) R2016-0067: A Resolution making an award on RQ36387 to The James B. Oswald Company in the amount not-to-exceed \$803,634.00 for professional healthcare consultant services for the period 4/15/2016 - 4/14/2019; 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 157)

Sponsor: County Executive Budish/Department of Human Resources

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

- 10) R2016-0068: A Resolution authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2016 - 12/31/2017; 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 159)

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood and Councilmember Hairston

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

11) R2016-0069: A Resolution making awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 3/1/2016 - 12/31/2018; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 161)

i) for community wraparound care coordination and family/youth advocacy and support services:

- a) Applewood Centers, Inc. in the approximate amount of \$600,490.44.
- b) Beech Brook in the approximate amount of \$1,389,705.42.
- c) Bellfaire Jewish Children’s Bureau in the approximate amount of \$343,137.72.
- d) Catholic Charities Corporation (Parmadale) in the approximate amount of \$171,569.25.
- e) OhioGuidestone in the approximate amount of \$2,230,390.95.
- f) Pressley Ridge in the approximate amount of \$514,706.22.

ii) for evaluation, fidelity and monitoring services:

- a) Case Western Reserve University in the approximate amount of \$450,000.00.

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

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

- 12) R2016-0070: A Resolution authorizing an agreement with Cuyahoga County Prosecutor's Office in the amount not-to-exceed \$2,348,203.00 for legal services for the period 1/1/2016 - 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 167)

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

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

- 13) R2016-0071: A Resolution authorizing a revenue generating Cooperative Partnership Agreement with Cuyahoga County Board of Developmental Disabilities in the amount not-to-exceed \$1,350,000.00 for eligibility evaluation and supportive services for the period 1/1/2016 - 12/31/2018; 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 169)

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services and Councilmember Hairston

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

- 14) R2016-0072: A Resolution authorizing a contract with Pointe Blank Solutions Ltd. in the amount not-to-exceed \$3,000,000.00 for software, maintenance, monitoring and support services for the Justice Matters and DocuPointe Case and Document Management Systems for the period 2/29/2016 - 2/28/2021; 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 172)

Sponsor: County Executive Budish on behalf of Cuyahoga County Prosecutor

Committee Assignment and Chair: Finance & Budgeting – Greenspan

- 15) R2016-0073: A Resolution authorizing a contract with InfoPro Computer Solutions in the amount not-to-exceed \$510,000.00 for information technology services for the Buckeye Case Management and Computer Network Systems for the period 4/1/2016 - 3/31/2019; 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 174)

Sponsor: County Executive Budish on behalf of Court of Appeals of Ohio, Eighth Appellate District

Committee Assignment and Chair: Finance & Budgeting – Greenspan

e) COMMITTEE REPORTS AND CONSIDERATION OF ORDINANCES FOR SECOND READING

- 1) O2016-0004: An Ordinance enacting Section 503.08 of the Cuyahoga County Code to expand the Small Business Enterprise Program to Allow Small Business Set Asides, and declaring the necessity that this Ordinance become immediately effective. (See Page 176)

Sponsors: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

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

- 2) O2016-0005: An Ordinance enacting Sections 503.02 to 503.07 of the Cuyahoga County Code to expand the Small Business Enterprise Program, and declaring the necessity that this Ordinance become immediately effective. (See Page 179)

Sponsors: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

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

- 3) O2016-0006: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County’s Risk Management procedures and performance bond and insurance requirements, and declaring the necessity that this Ordinance become immediately effective. (See Page 186)

Sponsors: County Executive Budish/Department of Law and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

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

- 4) O2016-0007: An Ordinance enacting Chapter 510 of the Cuyahoga County Code to establish the Cuyahoga County Business Economic Inclusion Program, and declaring the necessity that this Ordinance become immediately effective. (See Page 191)

Sponsors: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

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

11. MISCELLANEOUS COMMITTEE REPORTS

12. MISCELLANEOUS BUSINESS

13. PUBLIC COMMENT UNRELATED TO AGENDA

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

- a) R2014-0270: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$1,500,000.00 to Downtown Cleveland Alliance for the benefit of the Streetscape Improvement Project located in the Gateway and Warehouse Districts in the City of Cleveland; authorizing the Deputy Chief of Staff of Development or Director of

Development to execute all documents consistent with said loan and this Resolution.

Sponsor: County Executive Budish/Department of Development

- b) R2014-0272: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$3,000,000.00 to Gateway-Huron, LLC for the benefit of the Gateway Huron Project, located at East 4th Street, Cleveland; authorizing the Deputy Chief of Staff of Development or Director of Development to execute all documents consistent with said loan and this Resolution.

Sponsor: County Executive Budish/Department of Development

15. ADJOURNMENT

NEXT MEETINGS

COMMITTEE OF THE WHOLE MEETING:

TUESDAY, APRIL 26, 2016
TBD / COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, APRIL 26, 2016
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 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*

***Council Chambers is equipped with a hearing assistance system. If needed, please see the Clerk to obtain a receiver.*



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, MARCH 22, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
3:30 PM

1. CALL TO ORDER

Council President Brady called the meeting to order at 3:31 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO AGENDA

There were no public comments given related to the agenda.

4. ITEM REFERRED TO COMMITTEE / CONFIRMATION HEARING:

- a) R2016-0051: A Resolution confirming the County Executive's appointment of Thomas D. Pristow, upon his taking the oath of office, as Director of the Department of Health and Human Services; and declaring the necessity that this Resolution become immediately effective.

Council President Brady made a brief statement regarding the confirmation hearing process.

Mr. Thomas Pristow, County Executive Budish's nominee for the position of Director of the Department of Health and Human Services, was then called upon to deliver an opening statement. Mr. Pristow provided background into his education, experience and qualifications for the position.

Councilmembers asked questions of Mr. Pristow pertaining to his experience and expertise, which he answered accordingly.

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2016-0051 was considered and approved by unanimous roll-call vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. PUBLIC COMMENT UNRELATED TO AGENDA

Mr. Bill Call addressed Council regarding the opening of a new Cleveland Clinic facility in London, England and the closure of Lakewood Hospital.

7. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 5:00 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, MARCH 22, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM**

1. CALL TO ORDER

Council President Brady called the meeting to order at 5:09 p.m.

2. ROLL CALL

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

A motion was then made by Mr. Hairston, seconded by Ms. Brown and approved by unanimous vote to excuse Mr. Jones from the meeting.

[Clerk's Note: Mr. Jones entered the meeting after Item No. 10.b).]

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Brady requested a moment of silent meditation be dedicated to the victims of the terrorist attacks in Brussels, Belgium.

5. PUBLIC COMMENT RELATED TO AGENDA

Mr. Dean Dilzell addressed Council regarding Resolution No. R2016-0061, a Resolution extending the appointment of Matt Carroll as Interim Director of the Department of Health and Human Services.

Ms. Tara Peppard addressed Council regarding the closure of Lakewood Hospital.

Rev. Pamela Pinkney Butts addressed Council regarding Resolution No. R2016-0061, a Resolution extending the appointment of Matt Carroll as Interim Director of the Department of Health and Human Services, and various non-agenda related items.

6. APPROVAL OF MINUTES

- a) March 8, 2016 Committee of the Whole Meeting
- b) March 8, 2016 Regular Meeting

A motion was made by Mr. Schron, seconded by Ms. Simon and approved by unanimous vote to approve the minutes of the March 8, 2016 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from Council President Brady.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **Voters approved Issue 23, Cuyahoga County's Health and Human Services Levy; and**
- b) **Met with Assistant U.S. Department of Energy Secretary David Danielson, Port of Cleveland President & CEO William Friedman and U.S. Representative Marcy Kaptur to discuss the LEEDCo Lake Erie off-shore wind turbine project.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING
 - 1) R2016-0048: A Resolution making an award to College Now Greater Cleveland in the amount of \$500,000.00 from the Cuyahoga County Educational Assistance Fund for Component

Two of the Cuyahoga County Educational Assistance Program for the period ending 6/30/2020; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon **and Miller**

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

Clerk Schmotzer read Resolution No. R2016-0048 into the record.

This item will move to the April 12, 2016 Council meeting agenda for consideration for third reading adoption.

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

- 1) O2016-0008: An Ordinance amending Section 202.18 of the Cuyahoga County Code to provide for creation and adoption of a County Sustainability Plan.

Sponsors: Councilmembers Miller and Simon and County Executive Budish/Department of Sustainability

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

Clerk Schmotzer read Ordinance No. O2016-0008 into the record.

This item will move to the April 12, 2016 Council meeting agenda for consideration for third reading adoption.

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2016-0061 and R2016-0062.

- 1) R2016-0061: A Resolution extending the appointment of Matt Carroll as Interim Director of the Department of Health and Human Services, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

A motion was made by Mr. Brady and seconded by Mr. Miller to adopt Resolution No. R2016-0061. The motion failed by a roll-call vote of 3 yeas and 7 nays with Councilmembers Miller, Germana and Brady voting in the affirmative and Councilmembers Schron, Conwell, Brown, Hairston, Simon, Greenspan and Gallagher casting dissenting votes.

- 2) R2016-0062: A Resolution amending the 2016/2017 Biennial Operating Budget for 2016 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts, and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies; **amending Resolution Nos. R2016-0041 and R2016-0050 dated 2/23/2016 and 3/8/2016, respectively, to reconcile appropriations for 2016;** and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer/Office of Budget and Management

On a motion by Mr. Schron with a second by Mr. Greenspan, Resolution No. R2016-0062 was considered and adopted by unanimous vote.

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

- 1) R2016-0063: A Resolution authorizing a First Amendment to Agreement of Sublease with Ohio Department of Rehabilitation and Correction and consented to by Ohio Public Facilities Commission pertaining to the financing of a portion of the cost of the Cuyahoga County Community-based Correctional Facility Project, by changing the aggregate amount of project costs to be paid for or reimbursed from the Adult Correctional Building Fund from \$10,800,000.00 to \$10,842,265.00; 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 Budish/Department of Public Works

Council President Brady referred Resolution No. R2016-0063 to the Public Works, Procurement & Contracting Committee.

- 2) R2016-0064: A Resolution authorizing an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/2/2016 to establish a guaranteed maximum price in the amount not-to-exceed \$18,000,000.00; 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 Budish/Department of Public Works

Council President Brady referred Resolution No. R2016-0064 to the Committee of the Whole.

- 3) R2016-0065: A Resolution making an award on RQ35947 to The C. A. Agresta Construction Co. in the amount not-to-exceed \$1,188,333.50 for 2016 Operations Resurfacing Program – Group 1, located in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:
 - i) Eddy Road from St. Clair Avenue to Interstate 90 in the City of Cleveland.
 - ii) East 152nd Street from Coit Avenue to Woodworth Avenue in the City of East Cleveland.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer **and Councilmember Hairston**

Council President Brady referred Resolution No. R2016-0065 to the Public Works, Procurement & Contracting Committee.

4) R2016-0066: A Resolution making an award on RQ36083 to Chagrin Valley Paving, Inc. in the amount not-to-exceed \$1,194,726.75 for 2016 Operations Resurfacing Program – Group 3, located in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:

- i) Emery Road from Warrensville Center Road to Northfield Road in the Village of North Randall.
- ii) Miles Road from Interstate 480 to North Randall East Corporation Line in the Village of North Randall.
- iii) Solon Road from Bedford Heights West Corporation Line to Bedford Heights East Corporation Line in the City of Bedford Heights.

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

Council President Brady referred Resolution No. R2016-0066 to the Public Works, Procurement & Contracting Committee.

5) R2016-0067: A Resolution making an award on RQ36387 to The James B. Oswald Company in the amount not-to-exceed \$803,634.00 for professional healthcare consultant services for the period 4/15/2016 - 4/14/2019; 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 Budish/Department of Human Resources

Council President Brady referred Resolution No. R2016-0067 to the Human Resources, Appointments & Equity Committee.

- 6) R2016-0068: A Resolution authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2016 - 12/31/2017; 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 Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmember Hairston**

Council President Brady referred Resolution No. R2016-0068 to the Education, Environment & Sustainability Committee.

- 7) R2016-0069: A Resolution making awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 1/1/2016 - 12/31/2018; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) for community wraparound care coordination and family/youth advocacy and support services:
 - a) Applewood Centers, Inc. in the approximate amount of \$600,490.44.
 - b) Beech Brook in the approximate amount of \$1,389,705.42.
 - c) Bellfaire Jewish Children's Bureau in the approximate amount of \$343,137.72.

- d) Catholic Charities Corporation (Parmadale) in the approximate amount of \$2,230,390.95.
- e) OhioGuidestone in the approximate amount of \$514,706.22.
- f) Pressley Ridge in the approximate amount of \$171,569.25.

ii) for evaluation, fidelity and monitoring services:

- a) Case Western Reserve University in the approximate amount of \$450,000.00.

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

Council President Brady referred Resolution No. R2016-0069 to the Health, Human Services & Aging Committee.

- 8) R2016-0070: A Resolution authorizing an agreement with Cuyahoga County Prosecutor’s Office in the amount not-to-exceed \$2,348,203.00 for legal services for the period 1/1/2016 - 12/31/2016; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2016-0070 to the Health, Human Services & Aging Committee.

- 9) R2016-0071: A Resolution authorizing a revenue generating Cooperative Partnership Agreement with Cuyahoga County Board of Developmental Disabilities in the amount not-to-exceed \$1,350,000.00 for eligibility evaluation and supportive services for the period 1/1/2016 - 12/31/2018; 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 Budish/Department of Health and Human Services/Division of Children and Family Services **and Councilmember Hairston**

Council President Brady referred Resolution No. R2016-0071 to the Health, Human Services & Aging Committee.

- 10) R2016-0072: A Resolution authorizing a contract with Pointe Blank Solutions Ltd. in the amount not-to-exceed \$3,000,000.00 for software, maintenance, monitoring and support services for the Justice Matters and DocuPointe Case and Document Management Systems for the period 2/29/2016 - 2/28/2021; 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 Budish on behalf of Cuyahoga County Prosecutor

Council President Brady referred Resolution No. R2016-0072 to the Finance & Budgeting Committee.

- 11) R2016-0073: A Resolution authorizing a contract with InfoPro Computer Solutions in the amount not-to-exceed \$510,000.00 for information technology services for the Buckeye Case Management and Computer Network Systems for the period 4/1/2016 - 3/31/2019; 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 Budish on behalf of Court of Appeals of Ohio, Eighth Appellate District

Council President Brady referred Resolution No. R2016-0073 to the Finance & Budgeting Committee.

- c) 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. R2016-0057, R2016-0058, R2016-0059 and R2016-0060.

- 1) R2016-0057: A Resolution making an award on RQ36073 to Kokosing Construction Company, Inc. in the amount not-to-exceed \$1,628,050.70 for 2016 Operations Resurfacing Program – Group 4, located in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:
 - i) Bradley Road from North Olmsted West Corporation Line to Center Ridge Road in the Cities of North Olmsted and Westlake.
 - ii) Mastick Road from Columbia Road to North Olmsted East Corporation Line in the City of North Olmsted.

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

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

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0057 was considered and adopted by unanimous vote.

- 2) R2016-0058: A Resolution authorizing an amendment to Agreement No. AG1400025-01 with Cuyahoga County Board of Developmental Disabilities for Individual Options Waiver eligibility verification services for reimbursement of Medicaid Home and Community-Based Services for the period 1/1/2014 - 12/31/2015 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,338,444.41; 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 Budish/Department of Health and Human Services/Division of Children and Family Services

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

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2016-0058 was considered and adopted by unanimous vote.

- 3) R2016-0059: A Resolution authorizing agreements with various providers, in the total amount not-to-exceed \$11,971,371.64, for child support services for the period 1/1/2016 - 12/31/2016; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$4,289,173.92.
 - ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$3,930,853.72.
 - iii) Cuyahoga County Prosecuting Attorney’s Office in the amount not-to-exceed \$3,751,344.00.

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

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

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2016-0059 was considered and adopted by unanimous vote.

- 4) R2016-0060: A Resolution authorizing agreements with various providers, in the total amount not-to-exceed \$91,857.49, for child support services for the period 1/1/2016 - 12/31/2016; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) Cuyahoga County Treasurer’s Office in the amount not-to-exceed \$67,965.33.

- ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$23,892.16.

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

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

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2016-0060 was considered and adopted by unanimous vote.

d) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0038: A Resolution authorizing the County Executive, on behalf of the County, to endorse the Memorandum of Understanding among City of Cleveland, Construction Employers Association, Hispanic Roundtable, Hard Hatted Women, Urban League of Greater Cleveland, Greater Cleveland Partnership, Cuyahoga Community College, Cleveland Metropolitan School District and Cleveland Building and Construction Trades Council regarding Community Benefits and Inclusion; authorizing the County Executive to execute the Memorandum of Understanding and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller

On a motion by Mr. Germana with a second by Ms. Brown, Resolution No. R2016-0038 was considered and adopted by unanimous vote.

- 2) R2016-0042: A Resolution declaring that public convenience and welfare requires replacement of Pleasant Valley Bridge No. 09.68 over Cuyahoga River in the City of Independence and Village of Valley View; total estimated project cost \$10,000,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into and execute an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Germana with a second by Mr. Miller, Resolution No. R2016-0042 was considered and adopted by unanimous vote.

- 3) R2016-0043: A Resolution declaring that public convenience and welfare requires rehabilitation of Cedar Point Bridge No. 00.49 over Rocky River located in Cleveland Metropolitan Park District in the City of North Olmsted; total estimated project cost \$2,268,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into and execute all necessary agreements with said District and municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2016-0043 was considered and adopted by unanimous vote.

- e) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2016-0009.

- 1) O2016-0009: An Ordinance enacting Chapter 808 of the Cuyahoga County Code to establish the Cuyahoga County Green Community Program and provide for matters relating to said Program, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive Budish/Department of Sustainability and Councilmembers Miller **and Simon**

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

On a motion by Ms. Simon with a second by Mr. Miller, Ordinance No. O2016-0009 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Finance & Budgeting Committee will meet on Monday, March 28, 2016 and Monday, April 11, 2016 at 1:00 p.m.

Mr. Miller reported that the Council Operations & Intergovernmental Relations Committee will meet on Tuesday, March 29, 2016 at 3:00 p.m.

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, March 23, 2016 at 10:00 a.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, March 29, 2016 at 10:00 a.m.

Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, March 30, 2016 at 1:00 p.m.

12. MISCELLANEOUS BUSINESS

Ms. Brown thanked everyone for their condolences for the loss of her grandfather.

Ms. Simon thanked Mr. Gallagher for holding a Public Safety & Justice Affairs Committee meeting to discuss animal abuse allegations at the County Fairgrounds.

13. PUBLIC COMMENT UNRELATED TO AGENDA

The following individuals addressed Council regarding fare increases proposed by the Greater Cleveland Regional Transit Authority:

- a) Mr. Rico Dancy**
- b) Rev. Pamela Pinkney Butts**

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

- a) R2016-0032: A Resolution approving the appropriation of funds for Year 2016 based on the Statement of Appropriation Status dated 12/31/2015, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer/Office of Budget and Management

Clerk Schmotzer reported that Resolution No. R2016-0032 was withdrawn at the request of the Fiscal Officer as it was subsequently determined by the State Auditor and Director of Law that Council action was not required.

15. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Jones with a second by Ms. Conwell, the meeting was adjourned at 5:47 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0074

Sponsored by: Councilmembers Miller, Gallagher and Greenspan and County Executive Budish/ Department of Development	A Resolution supporting the County’s efforts to collaborate with members of the Aerozone Alliance, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 7.01 of the Cuyahoga County Charter states 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, Cuyahoga County wishes to increase economic development opportunities and identify transportation, real estate, and community development plans in order to increase the marketability, attraction, and retention of businesses in the region in and around Cleveland Hopkins Airport and the National Aeronautics and Space Administration, Glenn Research Center; and

WHEREAS, the Cities of Berea, Brook Park, Cleveland, Fairview Park, and North Olmsted, the Ohio Aerospace Institute, and the National Aeronautics and Space Administration, Glenn Research Center also wish to increase economic development opportunities in the region; and

WHEREAS, the County’s current Five Year Economic Development Plan and each of the prior plans identified place-based strategies as a primary feature of our approach to economic development and the County has identified workforce development as an important component of our economic development strategy; and

WHEREAS, the Cuyahoga County Planning Commission identified the region surrounding Cleveland Hopkins Airport and the NASA Glenn Research Center as one of ten areas in the county that look especially attractive for application of a place-based economic development strategy; and

WHEREAS, the Cuyahoga County Department of Regional Collaboration has prioritized collaboration with other governments and community organizations as a primary strategy for effective government action; and

WHEREAS, the Cuyahoga County Department of Development has worked to support countywide business partnerships and economic growth; and

WHEREAS, Cuyahoga County has joined a consortium, whose members include the entities named above, known as the Aerozone Alliance; and

WHEREAS, the Alliance recognizes that through collaboration, the economic development and job creation potential of each constituent community and the region as a whole can be advanced through the Alliance; and

WHEREAS, all members of the Alliance have expressed their intentions to work cooperatively and to sign a Statement of Cooperation for the Aerozone Alliance.

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

SECTION 1. That the Cuyahoga County Executive, the officers of the Cuyahoga County Administration, and the Cuyahoga County Council support the County's efforts to collaborate with members of the Aerozone Alliance for the purpose of promoting economic development, job creation, job retention, and workforce development within the Aerozone Alliance region.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operations 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 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 _____
_____, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0048

<p>Sponsored by: Councilmember Simon</p> <p>Co-sponsored by: Councilmember Miller</p>	<p>A Resolution making an award to College Now Greater Cleveland in the amount of \$500,000.00 from the Cuyahoga County Educational Assistance Fund for Component Two of the Cuyahoga County Educational Assistance Program for the period ending 6/30/2020; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Article III, Section 3.09(11) of the Charter authorizes Council to “establish and provide for the administration of a program to provide scholarships, loans, grants and other forms of financial assistance for residents of the County that will enable them to participate in post-secondary education, including vocational education and job training and retraining;” and

WHEREAS, Ordinance No. O2012-0007 established the Cuyahoga County Educational Assistance Program (the “Program”) and the Cuyahoga County Educational Assistance Fund (the “Fund”); and

WHEREAS, Ordinance No. O2012-0007 was amended to add an additional component to the Program, to authorize an alternative procurement process and to authorize Council to annually designate the amount of budgeted funds to be allocated for each component of the Program; and

WHEREAS, Cuyahoga County Council set aside \$500,000.00, annually, in the 2016-2017 Biennial Budget for each component of the Program; and

WHEREAS, Council has determined to allocate an amount to College Now Greater Cleveland for Component Two of the Program; 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 program.

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

SECTION 1. That the Cuyahoga County Council hereby authorizes the award of \$500,000.00 to College Now Greater Cleveland for scholarships, retention and mentoring services for Cuyahoga County residents as described in Component Two of the Cuyahoga County Educational Assistance Program for the period ending June 30, 2020. Of the total award, College Now Greater Cleveland shall use \$420,000.00 for direct scholarships and may use the remainder for retention and mentoring services and program administration.

SECTION 2. That the County Executive is authorized to execute a contract in connection with the authorized expenditures and all other documents consistent with this Resolution. To the extent that any exemptions are necessary under the County Code and contracting procedures, they shall be deemed approved by the adoption of this Resolution.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 8, 2016
Committee(s) Assigned: Education, Environment & Sustainability

Committee Report/Second Reading: March 22, 2016

Additional Sponsorship Requested on the Floor: March 22, 2016

Journal CC022
April 12, 2016

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0002

Sponsored by: Councilmember Greenspan	An Ordinance amending Titles 4 and 5 of the Cuyahoga County Code to clarify the ethical rights, responsibilities and prohibitions applicable to elected officials, employees, board members, contractors and lobbyists of Cuyahoga County.
Co-sponsored by: County Executive Budish and Councilmembers Miller and Simon	

WHEREAS, Section 3.09(12) of the Cuyahoga County Charter empowers Council “to establish by ordinance a code of ethics, which shall be in addition to, and not inconsistent with, general law on the subject, which shall guide and inform County officers and employees in the performance of their official duties in a manner that will represent high standards of professionalism and loyalty to the residents of the County and that will avoid conflicts of interest, self-dealing and other violations of the public trust;” and

WHEREAS, in 2011 Council determined it was necessary to enact a comprehensive ethics policy, which was subsequently codified in Title IV of the Cuyahoga County Code; and

WHEREAS, Council has determined that in the interest of good governance it is necessary to update the County’s code of ethics to clarify the ethical rights, responsibilities, and prohibitions applicable to elected officials, employees, board members, contractors, and lobbyists; and,

WHEREAS, the Cuyahoga County Code of ethics remains the most comprehensive code of ethics of any County in the State of Ohio; and

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

SECTION 1. Purpose Statement. This Code of Ethics is hereby enacted to:

- A. Identify the minimum standards of ethical conduct which county officials, employees, board members, contractors, and lobbyists must meet;
- B. Educate county officials, employees, board members, contractors, and lobbyists in the principles of ethics and all applicable provisions of this code;
- C. Encourage county officials, employees, board members, contractors, and lobbyists to avoid conflicts of interest and pursue the highest ethical standards;

- D. Ensure county officials and employees treat all people with impartiality, fairness, and equality under the law;
- E. Provide a process by which such individuals may identify and resolve ethical issues;
- F. Provide a process to ensure prompt disclosure of serious unethical practices and to encourage others to do the same;
- G. Provide a fair and impartial process by which alleged violations of this code may be heard;
- H. Provide for a just and reasonable balance among the rights of all individuals who are directly affected by the operation of this code; and
- I. Establish penalties, as appropriate, for those who violate the public trust.

SECTION 2. That Cuyahoga County Council hereby repeals Chapters 401- 410 of the Cuyahoga County Code in their entirety and hereby enacts Chapters 401- 407 of the Cuyahoga County Code to read as follows:

Chapter 401: Compliance with State and Federal Law

Section 401.01: Conflict of Law

In accordance with Section 3.09(12) of the Cuyahoga County Charter, the obligations and prohibitions in this Title shall supplement and be consistent with any and all Federal or State, rules, regulations, procedures, ordinances, and codes governing ethics, professional conduct, or conflicts of interest, and is not intended to replace, override, or otherwise pre-empt any ethical requirement under general law including, without limitation, Chapters 102, 2921, and 3517 of the Ohio Revised Code; and Chapter 124 of the Ohio Revised Code and Chapter 123 of the Ohio Administrative Code as incorporated in Chapter 303 of the County Code.

Chapter 402: Definitions

Section 402.01: County Ethics Policy Definitions

For the purposes of this Title, the following definitions shall apply unless otherwise provided in the Code:

- A. “Appointing Authority” shall mean the County officer, director, commission, board, or body having the power of appointment to, or removal from, positions in any office, department, commission, board, or other authority of the County.

- B. “Board Member” shall include members of any board, agency, commission, or authority as is or may hereafter be established by or pursuant to the Charter or County Code who are appointed or confirmed by elected officials or county officers or directors.
- C. “Business Associate” shall mean any individual, company, or organization with which an individual is acting together to pursue a common business purpose, including but not limited to, partners in a partnership, co-owners of a business, an outside employer, or co-members of a Limited Liability Corporation.
- D. “Contractor” shall mean any person or entity that is a party to an Agreement with the County, as defined in Section 102.01(A) of the Code.
- E. “Elected Official” shall include any person holding elective office specified in, or established pursuant to, the Charter. Such Elected Officials shall include, without limitation, the County Executive, the Prosecuting Attorney, and members of County Council.
- F. “Employee” shall mean any employee of Cuyahoga County including, but not limited to, any person employed, full or part time in a temporary or permanent capacity, by the County Executive, the Prosecuting Attorney, the County Council, the Personnel Review Commission, the Board of Revision, the Inspector General, and any other county agency hereafter established by or pursuant to the charter.
- G. “Gift” includes any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having greater than de minimis monetary value including, but not limited to, cash, food and drink, travel, or lodging.
- H. “Inspector General” shall mean the Cuyahoga County Inspector General as established in Section 204.01 of this Code.
- I. “Interest” shall mean a direct financial or material benefit, but does not include any benefit arising from the provision or receipt of any services generally available to a lawful class of residents or taxpayers of the County. An individual is deemed to have an interest in any private organization when he or she, his or her spouse, or a member of his or her household, is an owner, partner, member, director, officer, employee, or owns or controls more than 5% of an organization’s outstanding stock; provided however, that an individual appointed or otherwise authorized to serve on a private organization, and who solely acts on behalf of the county in his or her capacity for the private organization, shall not be deemed to have an interest in such private organization.
- J. “Lobbyist” shall mean any individual employed or retained by a client to contact via private written or oral communication any County elected official, employee, or board member to influence the award of County contracts, the appointment or confirmation of any individual, or the formulation, modification, or adoption of any

County legislation, regulation, or policy. A Lobbyist shall not include any individual who spends less than five percent (5%) of his or her compensated time lobbying governmental entities on behalf a specific client. "Lobbyist" shall not include anyone who performs any of the actions described in this paragraph without compensation, whose performance of such action consists solely of testimony provided at public meetings, or whose performance of such actions are an incidental and insignificant portion of one's duties.

- K. "Presumption of Influence" shall mean a rebuttable presumption that a gift made to an elected official, employee, or board member constitutes a substantial and improper influence in violation of this Title. Any person may proffer evidence to rebut a presumption of influence.
- L. "Relative" shall mean an individual's spouse, domestic partner, parent, grandparent step-parent, sibling, step-sibling, sibling's spouse, child, grandchild, step-child, uncle, aunt, nephew, niece, first cousin, or household member, and persons having any of these relationships to the spouse or domestic partner of said individual.

Chapter 403: Elected Officials, Employees, and Board Members

Section 403.01: Training

- A. Every elected official, employee, and board member shall complete an ethics training program approved by the Inspector General within thirty (30) days of first assuming office. Elected officials and employees shall complete ethics training annually for every year of service with the County thereafter.
- B. Upon successful completion of any ethics training program, elected officials, employees, and board members shall acknowledge, electronically or in writing, that they have read, understood, and agree to abide by the County ethics policy, including the provisions of this Title, Ohio Revised Code Chapter 102 and Ohio Revised Code Sections 2921.42 and 2921.43.

Section 403.02: Use and Misuse of County Resources

- A. "County resources" include, but are not limited to, County personnel, money, procurement/credit cards, vehicles, equipment, materials, supplies, or other property.
- B. Printing, mailing, or electronic communications of political material or conducting non-county business using county resources is prohibited.
- C. No elected official, employee, or board member shall use or permit the use of County resources for personal or private purposes unless the use of County resources is de minimis or authorized by law or County policy, or the use of County resources is provided as part of his or her official compensation.

Section 403.03: Use and Misuse of Official Position

- A. No elected official, employee, or board member shall knowingly use his or her official position or official powers and duties to secure a financial or material benefit, or promise of a financial or material benefit, for himself or herself, a relative, or any private organization in which he or she has an interest.
- B. No elected official, employee, or board member shall request without offering just compensation, require, or coerce a subordinate employee to perform any task unreasonably outside the scope of his or her County employment that does not further a County interest, including the performance of any clerical or other work on behalf of the individual, his or her family, business, social, church, or fraternal interest that does not further a County interest, or the purchase of goods or services for personal, business, or political purposes. Excessive requests by a supervisor to perform tasks unreasonably outside the scope of a subordinate's County employment may constitute a violation of this Section, regardless of whether just compensation is offered.
- C. No elected official, employee, or board member shall sell or agree to sell, either directly or indirectly through an entity in which he or she holds an interest, goods or services to the County, except through the County's competitive bidding process consistent with Ohio Revised Code Section 2921.42 et. seq.
- D. No elected official, employee, or board member shall violate the prohibitions applicable to Ohio counties regarding public contracts pursuant to Ohio Revised Code Section 2921.42 et seq., and any public contracts awarded in violation of Ohio Revised Code Section 2921.42 shall be void and unenforceable.
- E. No elected official, employee, or board member shall knowingly misrepresent his or her personal opinion to be the official position of the County. This paragraph shall not apply to statements of elected officials made in the course of fulfilling the responsibilities of, or running for, office.
- F. No elected official, employee, or board member shall draw a per diem or expense monies from the County to attend a seminar, convention, or conference and then fail to attend the seminar, convention, or conference without acquiring prior approval from a direct supervisor or refunding the pro-rata unused per diem or expense monies to the County.
- G. No elected official, employee, or board member shall knowingly suppress any public record.
- H. No elected official, employee, or board member shall:
 - 1. Abuse his or her authority to compel a subordinate employee to endure or participate in sexual conduct; or

2. Require or coerce a subordinate employee to accept sexual harassment or unwelcome sexual advances as a condition of employment, equal treatment, approval, or advancement.

Section 403.04: Conflicts of Interest

- A. Whenever a matter involving the exercise of discretion comes before an elected official, employee, or board member, either individually or as a member of a body, and the individual knows or has reason to know the disposition of the matter could result in a direct financial or material benefit to himself or herself, a relative, business associate, or any private organization in which he or she has an interest, the individual shall disclose the nature of the interest to the public in an open meeting or in writing to the Inspector General, and shall recuse themselves as required by paragraph (C) and the Ohio Revised Code.
- B. The disclosure required in paragraph (A) shall be made when the matter requiring disclosure first comes before the individual or when the individual first acquires knowledge of the interest requiring disclosure.
- C. No elected official, employee, or board member may participate in any decision or take any official action with respect to any matter involving the exercise of discretion, including discussing the matter and voting on it, when he or she knows or has reason to know that the action could confer a direct financial or material benefit on himself or herself, a relative, or any private organization in which he or she has an interest.
- D. No elected official, employee, or board member shall receive compensation from, or knowingly obtain a financial interest in, any non-County entity in exchange for any service rendered or to be rendered by him or her personally in any case, proceeding, application, or other matter which is before any County agency, department, board, commission or other authority. No person shall be required to divest themselves of a financial interest in existence at the time he or she initially assumes office or prior to the non-County entity having a matter come before the County, but recusal in accordance with subsection (C) shall be required.
- E. No elected official, employee, commission, board, or body shall appoint any individual who has served the County as an elected official, employee, or board member within the preceding 12 month to any board, commission, or other governmental entity where the Ohio Attorney General's *Index of Compatibility of Public Offices and Positions* provides that such appointment is incompatible with the appointee's position with the County. If the *Index* does not address the appointment, the elected official, employee, or board member shall request the opinion of the Inspector General, and shall not make the appointment unless the Inspector General determines the positions are compatible. In the event the Inspector General is conflicted from rendering a particular opinion, the request shall

be made to the Director of Law. In the event both the Inspector General and Director of Law are conflicted from rendering a particular opinion, the request shall be made for an opinion from the Ohio Attorney General.

- F. If uncertain as to whether a true conflict of interest exists, any elected official, employee, or board member may, before a matter is decided, disclose a potential conflict of interest to the Department of Law or the Inspector General, and request an opinion to determine whether the potential conflict of interest precludes the elected official, employee, or board member's participation in a particular matter.
- G. No elected official, employee or board member shall be required to recuse himself or herself with respect to the following matters:
 - 1. Adoption of the County's biennial budget as a whole; or
 - 2. Any matter that does not involve the exercise of discretion.

Section 403.05: Nepotism

- A. No elected official, employee, or board member, either individually or as a member of a body, may participate in any decision specifically to appoint, hire, promote, discipline, or discharge a relative for any position of the County.
- B. No elected official, employee, or board member may, either individually or as a member of a body, supervise a relative in the performance of the relative's official powers and duties.
- C. No public official, employee or board member shall secure any public contract in which the individual, a member of the individual's family, or any of the individual's business associates has an interest in violation of Ohio Revised Code Section 2921.42.

Section 403.06: Gifts

- A. All individuals shall comply with the requirements and prohibitions applicable to public officials and employees, as stated in Ohio Revised Code Section 102.03.
- B. No elected official, employee, or board member shall solicit or accept any gift where:
 - 1. The gift is intended to influence the elected official, employee, or board member in the performance or non-performance of his or her official powers or duties;

2. The gift is intended as a reward for any official action on the part of the elected official, employee, or board member in violation of Ohio Revised Code Section 2921.43.
- C. Presumption of influence. Subject to the exceptions listed in subsection (D), the following presumptions shall apply:
1. A gift or multiple gifts from a contractor or lobbyist within the same calendar year having an annual aggregate face value of seventy-five dollars (\$75.00) or more are presumed to influence an elected official, employee, or board member in the performance or non-performance of his or her official powers or duties.
 2. A gift to an elected official, employee, or board member is presumed to be intended to influence the performance or non-performance of his or her official powers or duties when the gift is from a private person or organization that seeks County action involving the exercise of discretion by or with the participation of the individual.
 3. A gift to an elected official, employee, or board member is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained County action involving the exercise of discretion by or with the participation of the individual during the preceding twelve months.
- D. Notwithstanding the provisions in subsection (B), the following gifts shall not carry a presumption of influence:
1. Gifts made to the County;
 2. Gifts given on special occasions, such as marriage, illness, or retirement, which are reasonable and customary, and which do not otherwise constitute a substantial and improper influence on the recipient;
 3. Meals and refreshments provided when an elected official, employee, or board member is in his or her professional capacity a speaker or participant at a job-related conference or program, and the meals and refreshments are made available to all participants;
 4. Invitations to or attendance at charitable fundraisers or community events that provide meals of an ordinary character and do not include entertainment of a significant value;
 5. Anything for which an elected official, employee, or board member pays face value, or at a discount available to all county employees or the general public;

6. Any campaign contribution that is otherwise lawfully received and reported under this Code and general law.

Section 403.07: Financial Disclosure

- A. Elected officials shall file an annual disclosure statement directly with the Ohio Ethics Commission or the appropriate filing agency by the deadline prescribed by the Ohio Ethics Commission.
- B. On or before April 15 of each year, the following employees shall file an annual disclosure statement with the Inspector General on the Financial Disclosure Statement form prescribed by the Ohio Ethics Commission, unless otherwise required by Ohio law to file such a statement directly with the Ohio Ethics Commission:
 1. All officers and directors appointed pursuant to Article V, Section 7.03, Section 8.02, Section 9.06, Section 10.01, and Section 11.03 of the Cuyahoga County Charter;
 2. Any other director-level or officer-level position of the county appointed pursuant to the County Charter or County Code, including but not limited to, directors of departments established by ordinance, Health and Human Services administrators, and the Inspector General.
 3. Chief of staff and/or First Assistant to the County Executive, County Council, and County Prosecutor;
 4. Deputies Chiefs or similarly titled employees within Office of the County Executive to which any county officer or director reports.
 5. Board of Revision hearing officers; and
 6. The Clerk of County Council.
- C. Any employee appointed to occupy a position listed in subsection (B) who has not previously filed a financial disclosure statement for the year preceding his or her appointment shall file a financial disclosure statement for that year with the Inspector General within thirty (30) days of appointment to his or her new position. The requirements of this section shall also apply to any former employee or elected official of the county who, within the prior calendar year, held one or more of the positions identified in paragraph (A) or (B) of this section.
- D. If the filing deadlines in paragraph (B) falls on a non-business day, the filing deadline shall be extended to the next regular business day.

Section 403.08: Secondary Employment

- A. All elected officials and employees shall disclose the following types of secondary employment in writing to the Department of Human Resources on an official form approved by the Inspector General, and shall keep such information up to date throughout their term of employment with the County:
 - 1. Any compensated employment or private business activity outside the elected official's or employee's primary status with the County that results in gross income required to be reported by the United States Internal Revenue Service, excluding interest income, dividends, other corporate contributions, alimony, income from life insurance or endowment, income in respect of a decedent, retirement plans, pensions and annuities, and social security, PERS, or equivalent retirement benefits; or
 - 2. Any compensated or uncompensated fiduciary interest with an entity that receives funding from the County.
- B. The Department of Human Resources shall transmit a copy of each secondary employment disclosure form to the Inspector General.
- C. In the event the Inspector General determines a county employee's employment violates an express prohibition or creates a conflict of interest where mandatory recusal would preclude the employee from performing a substantial portion of his or her job duties, the employee shall either terminate his or her secondary employment or face dismissal from service with the County. Elected officials holding secondary employment shall recuse themselves in accordance with Section 403.04.
- D. Employees shall request approval from the Inspector General within thirty (30) days of accepting any secondary employment. The Inspector General may limit the type of classifications of secondary employment that require disclosure. The Inspector General shall render an opinion within fourteen (14) days of the Inspector General receiving the request from the Department of Human Resources in accordance with Section 407.01(J).

Section 403.09 Future Employment

- A. No present or former elected official or employee shall, during public service or for twelve months thereafter, represent or act in a representative capacity for any person or organization on any matter involving the exercise of discretion by the county or any agent thereof, in which the present or former elected official or employee, personally participated in his or her capacity as a County official.
- B. Elected officials and employees shall disclose to the Inspector General any employment offers, or ongoing discussions of future employment, with any entity

presently dealing with the County concerning matters within the scope of the individual's current official duties.

- C. This section shall not be construed as prohibiting an elected official, or employee from representing himself or herself before the County, or asserting a claim against the County on his or her own behalf, nor shall this section prohibit any individual from representing a person or organization on an uncompensated basis.

Section 403.10: Discrimination

No elected official, employee, or board member shall discriminate against anyone on the basis of race, religion, national origin, age, sex, gender, ethnicity, sexual orientation, gender identity and expression, disability, or genetic information.

Section 403.11: Political Contributions from County Employees

- A. No elected official shall knowingly solicit or accept a campaign contribution from any County employee over whom he or she has appointing authority or confirmation authority, either individually or as a member of a body. No elected official shall knowingly solicit or accept a campaign contribution from an employee whose County confirmation is pending.
- B. No employee shall knowingly make a campaign contribution to, or solicit funds for a campaign for public office conducted by or for their own elected employer or confirming authority. Employees shall not be prohibited from making voluntary contributions to political parties or candidates for any other public office.
- C. The prohibitions of this Section shall not apply to employees or elected officials whose service with the county has terminated.
- D. An elected official or employee may request an opinion from the Inspector General prior to accepting, soliciting, or making a campaign contribution. The Inspector General shall provide an opinion within fourteen (14) days of receiving the request; provided however that the Inspector General shall not be required to conduct a review of political contributions on behalf of any candidate or political campaign.

Section 403.12: Whistleblowers

All elected officials, employees, and board members shall have whistleblower rights and responsibilities as specified in Chapter 406 of this Code.

Section 403.13 Partisan Political Activity by Classified Civil Service Employees

All elected officials, employees and board members are subject to the rules regarding political activity pursuant to Ohio Revised Code Chapter 124 and Ohio Administrative

Code Chapter 123, as is now or hereafter incorporated by Chapter 303 of the Cuyahoga County Code.

Chapter 404: Contractors

Section 404.01: Registration, Disclosure Requirements, and Training Certification

Any and all contractors shall comply with the Registration, Training, and Disclosure Requirements as provided in Chapter 501 of the County Code.

Section 404.02: Gifts

- A. No contractor shall make a gift to an elected official, employee, or board member in violation of Ohio Revised Code Section 102.03.
- B. Additionally, no contractor shall provide, pay for, or offer any gift to any elected official, employee, or board member where:
 - 1. The gift is intended to influence the elected official, employee, or board member in the performance or non-performance of his or her official powers or duties;
 - 2. The gift is intended as a reward for any official action on the part of the elected official, employee, or board member.
- C. No contractor shall knowingly provide, pay for, or offer, any gift or multiple gifts having an annual aggregate face value of seventy-five dollars (\$75.00) or more to a person the contractor knows, or reasonably should know, is an elected official, employee, or board member of the County.
- D. Presumption of influence. Subject to the exceptions listed in subsection (E), the following presumptions shall apply:
 - 1. A gift or multiple gifts made within the same calendar year having an annual aggregate value of seventy-five dollars or more are presumed to influence an elected official, employee, or board member in the performance or non-performance of his or her official powers or duties.
 - 2. A gift to an elected official, employee, or board member is presumed to be intended to influence the performance or non-performance of his or her official powers or duties when the gift is from a private person or organization that seeks County action involving the exercise of discretion by or with the participation of the employee.
 - 3. A gift to an elected official, employee, or board member is presumed to be intended as a reward for official action when the gift is from a private person or

organization that has obtained County action involving the exercise of discretion by or with the participation of the employee during the preceding twelve months.

- E. Notwithstanding the provisions in subsection (C), the following gifts shall not carry a presumption of influence:
1. Gifts made to the County;
 2. Gifts given on special occasions, such as marriage, illness, or retirement, which are reasonable and customary, and which do not otherwise constitute a substantial and improper influence on the giftee;
 3. Meals and refreshments provided when an elected official, employee, or board member in his or her professional capacity is a speaker or participant at a conference or program and the meals and refreshments are made available to all participants;
 4. Invitations to or attendance at charitable fundraisers or community events that provide meals of an ordinary character and do not include entertainment of a significant value;
 5. Anything for which an elected official, employee, or board member, or his or her campaign committee where otherwise permitted by law, pays the face value, or at a discount available to all county employees or the general public;
- F. Notwithstanding any other provision of this Section, contractors shall not be prohibited from making any campaign contribution that is otherwise lawfully made under this Code and general law.

Section 404.03: Discrimination

No contractor shall discriminate against anyone on the basis of race, religion, national origin, age, sex, gender, ethnicity, sexual orientation, gender identity and expression, disability, or genetic information.

Section 404.04: Whistleblowers

All contractors shall have whistleblower rights and responsibilities as specified in Chapter 406 of this Code.

Chapter 405: Lobbyists

Section 405.01: Registration, Training, and Disclosure Requirements

- A. Registration. Except as provided in subsection (D), a lobbyist must register with the Inspector General as a lobbyist within thirty days after the start of lobbying activity

on behalf of his or her client. Lobbyists shall re-register every four (4) calendar years. The registry application fee shall be \$100.00. Registrants shall make all required disclosures listed in subsection (B) on or before the date of registration, unless such information is explicitly exempt from disclosure by this Code or general law. The effective date of registration will be upon the completion and filing of the registration form, payment of one registration fee, and completion of ethics training. Fees collected pursuant to this section shall support the Inspector General's cost of administering the contractor and lobbyist registries.

B. Annual Disclosure Requirements. Each registered lobbyist shall disclose the following information on or before January 1 of each year:

1. The name, phone number, and address of the registered lobbyist and all of its employees or agents who engage in lobbying activities;
2. A list of all clients, including names, phone numbers, addresses, and nature of business, from whom the registered lobbyist receives compensation for engaging in lobbying activities;
3. A statement of all matters on which the registered lobbyist has lobbied for each client in the past year, or on which the registered lobbyist is contracted to lobby in the future;
4. A list of any past positions held by the registered lobbyist or any of its employees or agents as an elected official, employee, or board member of a city, county or state, and the period of time during which each individual held such position;
5. Any other information as may be required by the Inspector General.

C. Training.

1. Every lobbyist shall complete an ethics training program conducted by the Inspector General prior to engaging in any lobbying activities with the County.
2. Upon successful completion of any County ethics training program, lobbyists shall acknowledge, electronically or in writing, that they have received, read, understood, and agree to abide by the County ethics policy, including the provisions of this Title, Ohio Revised Code Chapter 102 and Ohio Revised Code Sections 2921.42 and 2921.43.
3. Ethics training certification shall expire on December 31 of the respective year that is four (4) calendar years following the date of the ethics training. A lobbyist may only renew its ethics training certification by completing a subsequent ethics training program conducted by the Inspector General. Any

lobbyist who fails to renew its ethics training certification shall be removed from the registry of approved lobbyists.

D. The requirements of Section shall not apply to the following persons or entities:

1. A person who owns, publishes, or is employed by a media outlet. This subsection does not exempt persons whose relation to a media outlet is only incidental to a lobbying effort, or where a position taken or advocated by a media outlet directly affects a County policy in which the media outlet has a direct or indirect economic interest;
2. Governmental entities and their agents, provided the communications relate solely to subjects of governmental interest;
3. A not-for-profit corporation solely seeking to provide a free service, or financial or in-kind support, for a county program or initiative.
4. An attorney or other person whose contact with a County employee or elected official is made solely as part of resolving a dispute with the County, provided that the contact is solely with County employees or officials who do not vote on, or have final authority over, the policy decision.

Section 405.02: Gifts

- A. No lobbyist shall make a gift to an elected official, employee, or board member in violation of Ohio Revised Code Section 102.03.
- B. Additionally, no lobbyist shall provide, pay for, or offer any gift to any elected official, employee, or board member where:
 1. The gift is intended to influence the elected official, employee, or board member in the performance or non-performance of his or her official powers or duties;
 2. The gift is intended as a reward for any official action on the part of the elected official, employee, or board member.
- C. No lobbyist shall knowingly provide, pay for, or offer, any gift or multiple gifts having an annual aggregate face value of seventy-five dollars (\$75.00) or more to a person the lobbyist knows, or reasonably should know, is an elected official, employee, or board member of the County.
- D. Presumption of influence. Subject to the exceptions listed in subsection (E), the following presumptions shall apply:

1. A gift or multiple gifts made within the same calendar year having an annual aggregate value of seventy-five dollars or more are presumed to influence an elected official, employee, or board member in the performance or non-performance of his or her official powers or duties.
 2. A gift to an elected official, employee, or board member is presumed to be intended to influence the performance or non-performance of his or her official powers or duties when the gift is from a private person or organization that seeks County action involving the exercise of discretion by or with the participation of the employee.
 3. A gift to an elected official, employee, or board member is presumed to be intended as a reward for official action when the gift is from a private person or organization that has obtained County action involving the exercise of discretion by or with the participation of the elected official, employee, or board member during the preceding twelve months.
- E. Notwithstanding the provisions in subsection (C), the following gifts shall not carry a presumption of influence:
1. Gifts made to the County;
 2. Gifts given on special occasions, such as marriage, illness, or retirement, which are reasonable and customary, and which do not otherwise constitute a substantial and improper influence on the giftee;
 3. Meals and refreshments provided when an elected official, employee, or board member is a speaker in his or her professional capacity or participant at a conference or program and the meals and refreshments are made available to all participants;
 4. Invitations to or attendance at charitable fundraisers or community events that provide meals of an ordinary character and do not include entertainment of a significant value;
 5. Anything for which an elected official, employee, or board member, or his or her campaign committee where otherwise permitted by law, pays the face value, or at a discount available to all county employees or the general public;
- F. Notwithstanding any other provision of this Section, lobbyists shall not be prohibited from making any campaign contribution that is otherwise lawfully made under this Code and general law.

Section 405.03: Discrimination

No lobbyist shall discriminate against anyone on the basis of race, religion, national origin, age, sex, gender, ethnicity, sexual orientation, gender identity and expression, disability, or genetic information.

Section 405.04: Whistleblowers

All lobbyists shall have whistleblower responsibilities as specified in Chapter 406 of this Code.

Chapter 406: Whistleblowers

Section 406.01 Whistleblower Responsibilities

- A. Any elected official, employee, or board member who possesses actual knowledge of a violation of this Title shall inform the Inspector General within five days of discovering the violation, unless the individual knows the violation has already been reported.
- B. Any person who reasonably believes a violation of this Title or of any state or federal ethics law, rule, or regulation has occurred, or will occur, may file a complaint with the Inspector General.
- C. No elected official, employee, board member, lobbyist, or contractor shall file a complaint with the Inspector General that includes information he or she knows to be false, or which has been submitted in bad faith or with reckless disregard for the truth.
- D. No person shall retaliate against any individual who, in good faith, has filed a written report or expressed in writing his or her intent to report a violation or suspected violation of this Code, whether such retaliation is through threat, coercion, harassment, abuse of authority, or adverse employment action.
- E. Any act of retaliation shall be considered a separate violation of this Code. All complaints of retaliation shall be reported to the Inspector General for investigation.

Section 406.02 Whistleblower Rights

- A. Pursuant to Section 124.341 of the Ohio Revised Code, if an appointing authority takes any final disciplinary or retaliatory action against an employee as a result of the employee's having filed a written report or complaint of a violation of state or federal statutes, rules, or regulations or the misuse of public resources, the employee's sole remedy is to file an appeal with the state personnel board of review within the time period prescribed by law.

- B. If an employee believes he or she has been subject to retaliation for having filed a complaint of a violation of this title that is not a violation reportable under Ohio Revised Code Section 124.341, he or she shall report such retaliation to the Department of Human Resources. If an appointing authority or the Department of Human Resources takes any final disciplinary or retaliatory action against an employee as a result of the employee's having filed a report or complaint under this title that is not a violation reportable under Ohio Revised Code Section 124.341, the employee may file an appeal with the Personnel Review Commission. Any complaint giving rise to an alleged retaliatory act must be filed in writing in order for an employee to exercise his or her appeal rights under this paragraph. A complaint filed in writing may be submitted anonymously; provided however that the employee shall bear the burden of proving that the employee was the source of the anonymous complaint upon appeal. Claims of retaliation heard by the Personnel Review Commission shall be appealable to the Court of Common Pleas pursuant to Ohio Revised Code Chapter 2506.
- C. The annual training provided to employees, as required in Chapter 403 of this code, shall include a notice to employees enumerating their whistleblower rights and responsibilities, including the requirement that an employee must submit any initial ethics complaint in writing to properly exercise his or her appeal rights in the event of whistleblower retaliation.

Chapter 407: Duties and Responsibilities

Section 407.01 Inspector General

- A. The Inspector General shall serve as the County's chief ethics officer, shall receive complaints of ethics violations, and shall conduct investigations in accordance with Section 204.01 of the Code. In the event the Inspector General has a conflict of interest or other circumstances arise that would preclude him or her from performing any power or duty vested in the Inspector General, including but not limited to investigating alleged violations of this Title, the Inspector General shall recuse himself or herself from the conflicted matter and shall notify the Director of Law of such recusal. Upon receiving a notice of recusal from the Inspector General, the Director of Law shall appoint an independent person or entity to perform the powers or duties of the Inspector General with regard to the particular matter until either the matter is closed or the conflict of interest is resolved.
- B. All documents submitted or prepared in the course of an investigation under this Title shall be considered part of the Inspector General's confidential investigatory files, which shall be exempt from disclosure until the matter is concluded and the investigation is closed by the Inspector General and any other investigatory agencies with jurisdiction over the matter. The Inspector General shall take

reasonable measures to protect the anonymity of complainants and witnesses to the extent permitted by law.

- C. All elected officials, employees, contractors, lobbyists, and board members shall cooperate fully and truthfully with any investigation or inquiries initiated by the Inspector General regarding an alleged or potential violation of this Title to the extent that the constitutional rights of those accused are not violated. Elected officials, employees, board members, lobbyists, and contractors shall locate, compile, and produce any information requested by the investigating authority, unless such information is exempt from disclosure under this Code or applicable law.
- D. If the Inspector General determines that an elected official, employee, or board member has violated a provision of this Title or the Charter, the Inspector General may take one or more of the following actions:
 - 1. The Inspector General may issue a Letter of Notification, which advises the individual that he or she is in non-compliance, and may advise the respondent of any steps to be taken to bring the respondent into compliance and/or avoid future violations.
 - 2. The Inspector General may issue a Letter of Admonition expressing disapproval of the individual's violation of a provision of this Title. The Inspector General shall send a simultaneous copy of all letters of admonition to the Department of Human Resources and to the respondent's appointing authority.
 - 3. The Inspector General may issue a Letter of Censure condemning the individual for knowingly violating one or more provisions of this Title. The Inspector General shall send a simultaneous copy of all letters of censure to the Department of Human Resources and to the respondent's appointing authority.
 - 4. The Inspector General may require the individual to complete a County ethics training program.
 - 5. The Inspector General may make a recommendation to an individual's appointing authority, including but not limited to, a recommendation for suspension, forfeiture of office, or removal from office.
- E. If the Inspector General determines there are reasonable grounds to believe a contractor or lobbyist has violated a provision of this Title, the Inspector General may take one or more of the following actions:
 - 1. The Inspector General may issue a Letter of Notification, which advises the contractor or lobbyist that it is in non-compliance, and may advise the respondent of any steps to be taken to bring the respondent into compliance and/or avoid future violations.

2. The Inspector General may remove a lobbyist from the registry and prohibit them from engaging in lobbying activities for a period of time determined by the Inspector General.
 3. The Inspector General may initiate the process to debar a contractor in accordance with Section 505 of the Code.
 4. The Inspector General may require the contractor or lobbyist to complete a County ethics training program.
- F. The Inspector General may reject the registration application of any contractor currently debarred, suspended, or subject to potential debarment under Chapter 505 of this Code. In the event a contractor's registration application is rejected, the Inspector General shall notify the contractor that its registration application has been rejected, shall refund any assessed registration fees, and shall issue a "Notice of Potential Debarment" if required under Chapter 505.
- G. If the Inspector General determines there are reasonable grounds to believe any person has violated any federal, state, or local law, the Inspector General shall refer said violations to the appropriate civil, criminal, or administrative agencies charged with enforcing such law.
- H. The Inspector General shall be responsible for administering ethics training for all contractors and lobbyists who are required to receive ethics training under this Title. The Inspector General shall receive and keep records of ethics certifications from all such contractors and lobbyists.
- I. The Inspector General shall receive and maintain all financial disclosure statements required to be filed directly with the Inspector General. The Inspector General shall acquire and maintain copies of any Financial Disclosure statements filed directly with the Ohio Ethics Commission by elected officials.
- J. The Inspector General shall provide any individual under investigation for giving, soliciting, or accepting a gift in violation of Section 403.06, 404.02, or 405.02 of this Code an opportunity to submit evidence to rebut any presumption of influence the Inspector General has found. The Inspector General shall take any such evidence into consideration prior to taking final action.
- K. The Inspector General shall publish a list of all registered contractors and lobbyists on the County's website.
- L. The Inspector General shall issue an advisory opinion within fourteen (14) days upon receiving a written request regarding the compatibility of an employee's prospective secondary employment or the compatibility of a prospective board member appointment.

- M. In consultation with the Department of Law, the Inspector General shall prepare a comprehensive County Ethics Policy Manual, which shall include the requirements of this Title, Ohio Revised Code Chapter 102, Ohio Revised Code Sections 2921.42 and 2921.43, and such other materials deemed appropriate for distribution. The County Ethics Policy Manual shall be made publicly available online.
- N. The Inspector General shall furnish, electronically or in writing, a copy of the County Ethics Policy Manual to all contractors and lobbyists on or before the date of their first ethics training.

Section 407.02 Personnel Review Commission

- A. The Agency of the Inspector General and Department of Human Resources shall work in cooperation with the Personnel Review Commission to ensure county-wide compliance with this Title. The Personnel Review Commission shall provide an annual report to County Council detailing employee ethics training, receipt of ethics laws, and posting of whistleblower policies.
- B. The Personnel Review Commission shall hear and adjudicate appeals of all claims of retaliation brought under Chapter 406 of this Code.

Section 407.03 Department of Human Resources

- A. The Department of Human Resources shall administer ethics training as necessary, and distribute a copy of the County's ethics policy to all elected officials, employees, and board members who are required to receive ethics training under this Title. The Department of Human Resources shall receive and maintain records of ethics certifications from all such elected officials, employees, and board members.
- B. The Department of Human Resources shall be responsible for investigating claims of discrimination brought against any employee, elected official, or board member.
- C. The Department of Human Resources shall furnish a copy of the County Ethics Policy Manual prepared by the Department of Law to all elected officials, employees, and board members on or before the date of their first ethics training.
- D. The Department of Human Resources shall post the County's whistleblower policies, in accordance with Chapter 406 of this Code, in a manner consistent with its current disclosure and posting of other human resource materials.
- E. The Department of Human Resources shall enforce ethics compliance and shall do each of the following, as necessary:
 - 1. Provide copies of Ohio and County laws relating to ethics in accordance with this Code and general law;

2. Conduct ethics training programs and classes for County employees;
3. Post the County's Whistleblower Policy at County offices;
4. Take other actions necessary to perform its responsibilities for ethics compliance and training except for actions specifically assigned to another unit of County government.

SECTION 3. Section 501.19 of the Cuyahoga County Code is hereby amended to read as follows (additions bolded and underlined, deletions are stricken):

Section 501.19 ~~Ethics Compliance Required~~ Registration, Ethics Training, and Certification

A. No contract shall be entered into unless all the provisions of State and County laws related to ethics policy have been met.

B. **Registration.**

Except as provided in Subsection (B), every contractor whose annual aggregate amount of contracting with the County exceeds ten thousand dollars (\$10,000) shall register with the Inspector General prior to doing business with the County. Registration shall take place prior to entering any contract that would bring a Contractor's annual aggregate amount above ten thousand dollars. Contractors shall re-register every four (4) calendar years. Every registered contractor shall pay a registration filing fee of one hundred dollars (\$100.00). Contractors shall be responsible for keeping track of their annual aggregate amount of contracting with the County. Each registered contractor must provide to the Inspector General the contractor's corporate name, federal tax identification number, address, names of the contractor's principals, and any other information as may be required by the Inspector General, unless such information is explicitly exempt from disclosure by this Code or general law. Fees collected pursuant to this section shall support the Inspector General's cost of administering the contractor and lobbyist registries.

C. **Ethics Training and Certification.**

1. **Every contractor whose annual aggregate amount of contracting with the County exceeds ten thousand dollars (\$10,000) shall complete an ethics training program prescribed by the Inspector General prior to doing business with the County.**
2. **Upon successful completion of any ethics training program, contractors shall acknowledge, electronically or in writing, that they have received,**

read, understood, and agree to abide by the County ethics policy, including the provisions of this Title, Ohio Revised Code Chapter 102 and Ohio Revised Code Sections 2921.42 and 2921.43.

3. Ethics training certification shall expire on December 31 of the respective year that is four (4) calendar years following the date of the ethics training. A contractor may only renew its ethics training certification by completing a subsequent ethics training program prescribed by the Inspector General. Any contractor who fails to renew its ethics training certification shall be removed from the registry of approved contractors.
- D. No approval authority shall award a contract to any contractor who fails to comply with the requirements of this Section.
- E. Notwithstanding paragraphs (A) through (C), the following entities shall not be mandated to comply with the requirements of this Section and shall not be required to pay the registration filing fee:
1. Political subdivisions, public utilities, and other governmental entities.
 2. Persons or entities that receive either direct payments or reimbursements from the County for the emergency purchase of items required to serve basic needs, including, but not limited to, temporary foster care providers and grocery or department stores that accept vouchers for basic needs.
 3. Court reporters or expert witnesses in connection with civil litigation or criminal prosecution.
 4. Persons or entities that receive County funds through a County-sponsored rebate program, including, but not limited to, the County Storefront Renovation Rebate Program.
 5. Accrediting bodies.
- F. The Inspector General may, on his or her own initiative or upon request, grant exemptions from the registration and/or training requirements of this Section with the approval of the Board of Control. Requests for exemptions shall be submitted to the Inspector General. Should either the Inspector General or the Board of Control deny an exemption request, the aggrieved party may appeal the decision to the full Council.

SECTION 4. Section 505.06(A)(1) of the Cuyahoga County Code is hereby amended to read as follows (additions bolded and underlined, deletions are stricken):

- A. Debarment by the Inspector General

1. Notice of Potential Debarment and Opportunity for Contractor to Respond
 - a. Prior to debarment, the Inspector General shall provide a written “Notice of Potential Debarment” to the contractor. The Notice of Potential Debarment shall include all of the following:
 - i. A notice that the Inspector General is considering debarring the contractor;
 - ii. A notice that if the contractor is debarred, the contractor will not be able to enter into any contracts or agreements with the County and that it will not be able to submit any bids, proposals, statements of qualifications, or any other offers to the County;
 - iii. A notice that if the contractor is debarred, the contractor will be barred from doing any work as a subcontractor on a county contract or agreement;
 - iv. A notice that if the contractor is debarred, the County will automatically disqualify any bids, proposals, statements of qualifications, or any other offers from the contractor;
 - v. A notice of the grounds for the potential debarment;
 - vi. A notice of the duration of the potential debarment;
 - vii. A notice that the contractor has the right to submit written materials and evidence to the Inspector General to explain why the contractor should not be debarred;
 - viii. A notice of the due date and time by which any written materials and evidence submitted by the contractor must be received by the Inspector General. The due date and time may not be less than 14 calendar days and no more than 60 calendar days from the Inspector General’s mailing or other means of transmitting the notice to the contractor; and
 - ix. A notice that the contractor has the right to request a meeting with the Inspector General or his or her representative to explain the contractor’s evidence and why the contractor should not be debarred. The Notice shall specify the location and two dates on which the meeting may take place if the contractor were to request a meeting. The Notice shall also specify the means and deadline by which the contractor may request the meeting and choose one of the two dates provided by the Inspector General in the Notice. The Notice shall also provide that if the contractor does not request the meeting by the

deadline and in the manner provided for in the Notice, the contractor shall be deemed to have waived its right to the meeting.

- b. **For the purposes of this Section, "Notice" shall mean a written communication sent by certified mail, return receipt requested, to the last known address of a party, its identified counsel, or agent for service of process. In the case of a business, such notice may be sent to any partner, principal officer, director, owner or co-owner, or joint venture. If no return receipt is received within 10 calendar days of mailing, receipt shall then be presumed.**

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 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: January 26, 2016
Committee(s) Assigned: Council Operations & Intergovernmental Relations

Additional Sponsorship Requested: March 1, 2016

Additional Sponsorship Requested: April 5, 2016

Committee Report/Second Reading: April 12, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0008

Sponsored by: Councilmembers Miller and Simon and County Executive Budish/Department of Sustainability	An Ordinance amending Section 202.18 of the Cuyahoga County Code to provide for creation and adoption of a County Sustainability Plan.
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WHEREAS, in December 2014 the County Department of Sustainability was established pursuant to Ordinance No. O2014-0023, as codified in Section 202.18 of the Cuyahoga County Code.

WHEREAS, the Department of Sustainability, per Section 202.18 (A) of the Cuyahoga County Code, is responsible for carrying out the following functions:

- a. Promoting environmentally sustainable business practices in the internal operations of the County;
- b. Collaborating with businesses, non-profit organizations, political subdivisions 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; and,

WHEREAS, Council now seeks to develop and adopt a five-year strategic plan to achieve the foregoing objectives.

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

SECTION 1. Section 202.18 of the Cuyahoga County Code is hereby amended to read as follows (additions are underlined and bolded, deletions are stricken):

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, political subdivisions 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 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.
- 2. The Director of Sustainability shall be responsible for fulfilling the duties of the Department of Sustainability and may employ such number of deputies, assistants, and employees as s/he determines to be reasonably necessary to assist him/her in carrying out his/her powers and duties and as is consistent with approved budgetary parameters determined by Council.

C. County Sustainability Plan

- 1. **The Department of Sustainability shall prepare and present to Council by September 1, 2017 a proposed five-year Sustainability Plan to achieve the objectives identified in paragraph (A) (2) of this section. If the Council shall fail to adopt the proposed plan, with such changes as the Council shall deem advisable, within sixty days of its presentation to the Council, the plan shall be deemed to be adopted. The Sustainability Plan shall be reviewed and revised as needed, but not less than once every five years in accordance with the foregoing procedures.**
- 2. **The Clerk of Council shall maintain a copy of all versions of the Cuyahoga County Sustainability Plan on the Council’s website.**

SECTION 2. 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: March 8, 2016

Committee(s) Assigned: Education, Environment & Sustainability

Committee Report/Second Reading: March 22, 2016

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0075

Sponsored by: County Executive Budish/Department of Law	A Resolution approving a proposed settlement and Consent Judgment in connection with <i>Mulloy, et al. v. Cuyahoga County, et al.</i> , U.S.D.C. Case No. 1:14cv02546; authorizing the Law Director and/or his designee to execute any supporting documentation; authorizing the appropriation of funds for payment of settlement amounts set forth herein; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has been named in a lawsuit filed in the United States District Court, Northern District of Ohio, in *Mulloy, et al. v. Cuyahoga County, et al.*, U.S.D.C. Case No. 1:14cv02546, by current and former employees of the Cuyahoga County Sheriff's Department, challenging the calculation and timing of overtime payments under the federal Fair Labor Standards Act; and,

WHEREAS, the County's legal representatives have recommended settlement of the claims of these Plaintiffs in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00) plus the employer contribution to the Ohio Public Employees Retirement System on any back-pay allocations; and,

WHEREAS, the Plaintiffs have agreed to a proposed settlement and Consent Judgment constituting the waiver and release of all related claims for specified amounts contingent upon the approval of the County Council; and,

WHEREAS, it is necessary that this Resolution become effective immediately to authorize immediate processing of the settlement of these claims and closure of the case.

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

SECTION 1. That the Cuyahoga County Council hereby approves the proposed settlement and Consent Judgment with the Plaintiffs in *Mulloy, et al. v. Cuyahoga County, et al.*

SECTION 2. That the Law Director and/or his designee is authorized to execute all other necessary documents required to provide for the payments set forth in the Consent Judgment.

SECTION 3. It is necessary that this Resolution become immediately effective in order that the proceedings in *Mulloy, et al. v. Cuyahoga County, et al.* may proceed as directed by the Court and to continue the usual and daily operations of the County Departments affected by this matter. 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 the 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 CC022
April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0076

Sponsored by: County Executive Budish/Department of Law, Fiscal Office and Board of Revision	A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Laborers’ International Union of North America, Local 860, representing approximately 200 employees in various classifications at the Fiscal Office and Board of Revision for the period 1/1/2016 - 12/31/2018; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Department of Law on behalf of the County of Cuyahoga (hereinafter collectively referred to as “the County”), has been engaged in collective bargaining negotiations with Laborers’ International Union of North America, Local Union No. 860 (hereinafter collectively referred to as “Local 860”), in an effort to negotiate a collective bargaining agreement (“CBA”) covering approximately 200 employees in various classifications at the Fiscal Office and Board of Revision for the period 1/1/2016-12/31/2018; and

WHEREAS, the parties have met in an effort to negotiate terms and have reached tentative agreement on a single first collective bargaining agreement; and

WHEREAS, the members of the bargaining unit met and voted to ratify the proposed collective bargaining agreement in full; and

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

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

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

WHEREAS, the Department of Law, the County Executive and the Department of Human Resources are recommending that Council approve the proposed CBA for the period 1/1/2016 – 12/31/2018; and

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Clerk of Courts.

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

SECTION 1. The Cuyahoga County Council hereby approves the Collective Bargaining Agreement between Cuyahoga County and Local 860, representing approximately 200 employees in various classifications in the Fiscal Office and Board of Revision for the period 1/1/2016 – 12/31/2018; and authorizes the County Executive to execute all documents consistent with this Resolution.

SECTION 2. If additional funds are necessary to implement the CBA between the County and Local 860 beyond those funds that have already been budgeted, they are hereby authorized to be budgeted and appropriated.

SECTION 3. It is necessary that this Resolution become immediately effective in order that critical services provided by the Cuyahoga County Fiscal Office and Board of Revision can continue without interruption, and to provide for the usual, daily operation of the County. Provided that this Resolution receives the affirmative vote of at least eight members of County Council, this Resolution shall become immediately effective upon the signature of the County Executive.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC022
April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0077

Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management	A Resolution amending the 2016/2017 Biennial Operating Budget for 2016 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 8, 2015, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program for 2016/2017 (Resolution No. R2015-0209) establishing the 2016/2017 biennial budget for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2016 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 2016/2017 Biennial Operating Budget for 2016 be amended to provide for the following additional appropriation increases and decreases:

Fund Nos./Budget Accounts

Journal Nos.

A. 24A301 – Children and Family Services **BA1609085**
CF135541 – Multi-systemic Therapy (MST) Unit
Other Expenses \$ 184,558.83

An appropriation increase is requested for the Department of Children & Family Services, Multi-systemic Therapy Unit to amend a contract with Applewood Centers for MST-PSB Therapy Services which was reduced from the 2016-2017 biennial budget. The funding source for the additional appropriation will be through Medicaid Revenue; there will be no additional impact to the HHS Levy for this amendment.

B. 01A001 – General Fund **BA1609089**
FS109611 – Fiscal Office Administration
Personal Services (\$ 50,053.00)

An appropriation decrease is requested in the Fiscal Office Administration account for the salary and benefits of the Benefits Coordinator position – there is a subsequent increase on BA1609090 to add the position back to Human Resources. The source of funding is General Fund.

C. 68A100 – Hospitalization Self Insurance **BA1609090**
CC499202 – Human Resources Benefits Office
Personal Services \$ 50,053.00

An appropriation increase is requested in the Human Resources Benefits Office account for the salary and benefits of the Benefits Coordinator position – there is a subsequent decrease on BA1609089 to remove the position from the Fiscal Office. The source of funding is Hospitalization Self Insurance fund from charges to agencies, employees, and regional partners for health insurance costs; this will reduce the impact on the General Fund.

D. 01A001 – General Fund **BA1606070**
PR151977 – ICAC GF Task Force
Other Expenses \$ 57,492.00
Capital Outlay \$ 12,508.00

To fully appropriate for the \$70k that was deposited from the Law Enforcement Trust Fund, a discretionary fund. The funds were deposited on 1/5/2016 as part of a match to the Internet Crimes Against Children Task Force (ICAC) grant. The total award provided by the Department of Justice in the amount of \$1,010,555, with a required non-federal share of \$527,954. This portion of these expenses will be covered by the (LETF funds) Law Enforcement Trust Fund, a discretionary fund in the amount of \$70,000 offsetting the general fund obligation.

E. 24A510 – Work and Training Administration **BA1606071**
WT137315 – Work First Services
Other Expenses \$ 5,509,912.00

To appropriate the award received by the HHS Job and Family Services from the Ohio Department of Job and Family Services for the purpose of employing area students. The County expects to place between 2,600 – 2,900 youths in jobs this year. Last year (2015) over 14,000 youth registered for the program and we were able to serve 2,834 youth between the ages of 14-24. The total award is \$5.5 million for 2016. The funding source is State TANF dollars. The grant period is May 2016 to August 2016.

F. 40A069 – Capital Projects	BA1600095
CC768895 –Men’s Shelter Reconstruction	
Capital Outlays	\$ 353,780.98

Provide appropriations in the new capital project titled Men’s Shelter Reconstruction that includes electrical, HVAC and sprinkler system upgrades. Funding is the 2014 Sales Tax Revenue Bonds in the form of a residual equity transfer from the Hunter Building and Men’s Shelter roof replacement project (see JR1600003).

G. 40A069 – Capital Projects	BA1600096
CC768531 –Hunter Building and Men’s Shelter	
Personal Services	\$ (134,961.43)
Capital Outlays	\$ (91,807.55)

Reduce appropriations in the Hunter Building and Men’s Shelter roof replacement project in preparation for closure. Funding is the 2014 Sales Tax Revenue Bonds of which the residual cash balance is being transferred to the new project Men’s Shelter Reconstruction.

H. 21A926 – CBCF Operating Account	BA1600104
CC742387 –FY16 CBCF Operating Grant	
Other Expenses	\$ 65,000.00

Increase appropriations in the FY16 Community Based Corrections Facility grant pursuant to the modification in the subsidy grant agreement from the original award of \$5,906,125 to \$5,971,125. Funding is from the State of Ohio, Department of Rehabilitation and Corrections covering the period July 1, 2015 through June 30, 2016. No cash match is required.

I. 20A825 – 9-1-1 Consolidation Shared Service	BA1600105
JA106781 –Cuyahoga County 911 Consolidated Shared Service	
Other Expenses	\$ (968,000.00)

Requesting an appropriation reduction in the 9-1-1 Consolidation Shared Service Fund. This was a carry-over balance for an encumbered 2015 contract with the City of Beachwood in the amount of \$1,968,000.00. This award was rescinded by County Council (R2015-0233) and a new application was submitted for the Heights-Hillcrest Group Pubic Safety Answering Point (PSAP) consolidation project. 1,000,000.00 will be the new project amount and the funds will be transferred from the special revenue account titled Wireless 9-1-1 to accommodate this award (see increase appropriations on document BA100106 and the cash transfer on document JT1600107 both on this agenda). The current cash balance is \$0 and no general fund resources will be used.

J. 20A814 – Wireless 9-1-1 Government Assistance	BA1600106
JA106773 –Wireless 9-1-1 Government Assistance	
Other Expenses	\$ 1,000,000.00

Requesting an appropriation increase in the Wireless 9-1-1 Government Assistance Fund. These funds will be transferred to the Consolidated Shared Services account (see document JT1600107 on this agenda) for the Heights-Hillcrest Group Public Public Safety Answering Point (PSAP) consolidation project. This is a special revenue account and the current cash balance in this fund is approximately \$7 million which is sufficient to support this increase.

K.	21A218 – State SHSP-Law Enforcement (SHSPLE)		BA1600108
	JA768903 –FFY15 State Homeland-Law Enforcement 15/18		
	Other Expenses	\$	146,115.97
	Capital Outlays	\$	238,565.03

Requesting the establishment of appropriation in the newly awarded FFY 15 State Homeland Security Grant-Law Enforcement 15/18 project. The grant award is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2015 through March 31, 2018. The grant was accepted by the Board of Control on November 2, 2015 (BC2015-828). No cash match is required.

L.	21A882 – Professional Continuing Education-Paul Coverdell Grant		BA1600109
	CR758342 –15/16 Professional Continuing Education-Paul Coverdell Grant		
	Other Expenses	\$	22,109.03
	Capital Outlays	\$	7,859.58

Requesting the establishment of appropriation in the newly awarded Professional Continuing Education-Paul Coverdell Grant. The grant award is from the United States Department of Justice, Office of Justice Programs, National Institute of Justice passed through the Ohio Office of Criminal Justice Services covering the period October 1, 2015 through September 30, 2016. The grant was accepted by the Board of Control on March 14, 2016 (BC2016-10). This is a continuation grant in the ninth year and this year’s award is \$2,224 greater than the previous year (or an increase of 8%). No cash match is required.

M.	21A598 – State Homeland Security Projects		BA1600116
	JA758375 –SHSP FY14-AFIS		
	Capital Outlays	\$	300,000.00

Requesting the establishment of appropriation in the newly awarded State Homeland Security Project (SHSP) FY14-Automated Fingerprint Identification System (AFIS) grant. The grant award is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2014 through June 30, 2016. The grant is being presented to the Board of Control on April 4, 2016. No cash match is required.

N.	22A718 – Emergency Solutions Grant 2010		BA1600121
	DV713446-Emergency Solutions Grant 2010		
	Other Expenses	\$	(797.72)

Requesting a reduction in the award appropriations as they are no longer eligible for reimbursement or repurposing. No funds are being returned to the funding source since the grant receives revenue based on a reimbursement basis only. 99.72% of the original award was spent. The reduction prepares the grant for closure. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2010 through December 31, 2010.

O.	22A044– Emergency Solutions Grant 2011		BA1600122
	DV713610-Emergency Solutions Grant 2011		
	Other Expenses	\$	(3,677.26)

Requesting a reduction in the award appropriations as they are no longer eligible for reimbursement or repurposing. No funds are being returned to the funding source since the grant receives revenue based on a reimbursement basis only. 98.69% of the original award was spent. The reduction prepares the grant for closure. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2011 through December 31, 2011.

P.	22A995– Emergency Solutions Grant 2012		BA1600123
	DV713941-Emergency Solutions Grant 2012		
	Other Expenses	\$	(3,629.45)

Requesting a reduction in the award appropriations as they are no longer eligible for reimbursement or repurposing. No funds are being returned to the funding source since the grant receives revenue based on a reimbursement basis only. 98.92% of the original award was spent. The reduction prepares the grant for closure. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2012 through December 31, 2012.

Q.	22A962– Emergency Solutions Grant 2013		BA1600124
	DV714212-Emergency Solutions Grant 2013		
	Other Expenses	\$	(142.44)

Requesting a reduction in the award appropriations as they are no longer eligible for reimbursement or repurposing. No funds are being returned to the funding source since the grant receives revenue based on a reimbursement basis only. 99.94% of the original award was spent. The reduction prepares the grant for closure. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2013 through December 31, 2013

R.	21A702 – Operation Stonegarden (OPSG)		BA1601510
	SH755413– FY15 Operation Stonegarden (OPSG)		
	Personal Services	\$	29,123.81
	Other Expenses	\$	80,876.19

An additional appropriation is requested for the County Sheriff for the newly awarded FY2015 Operation Stonegarden program, BC2015-880. These funds will be used to enhance Maritime Domain Awareness through patrolling of waters connecting from the shores of Cuyahoga County to international waters of Canada with the Public Safety Marine Patrol. Funding is from the Ohio Emergency Management for the period September 1, 2015 through March 31, 2018. There is no cash match required for this grant

S.	67A006 – Workers Comp Retro ‘06		BA1612059
	CC498832 – Workers Comp Retro ‘06		
	Other Expenses	\$	197,220.74
	67A007 – Workers Comp Retro ‘07		
	CC498840 – Workers Comp Retro ‘07		
	Other Expenses	\$	1,225,654.57
	67A008 – Workers Comp Retro ‘08		
	CC498857 – Workers Comp Retro ‘08		
	Other Expenses	\$	3,801,882.02
	67A009 – Workers Comp Retro ‘09		
	CC498865 – Workers Comp Retro ‘09		
	Other Expenses	\$	3,109,307.73
	67A010 – Workers Comp Retro ‘10		
	CC498873 – Workers Comp Retro ‘10		
	Other Expenses	\$	1,097,394.80
	67A011 – Workers Comp Retro ‘11		
	CC498881 – Workers Comp Retro ‘11		
	Other Expenses	\$	951,207.74
	67A012 – Workers Comp Retro ‘12		
	CC498899 – Workers Comp Retro ‘12		
	Other Expenses	\$	2,630,333.60
	67A013 – Workers Comp Retro ‘13		
	CC498915 – Workers Comp Retro ‘13		
	Other Expenses	\$	2,583,869.39
	67A014 – Workers Comp Retro ‘14		
	HR498923 – Workers Comp Retro ‘14		
	Other Expenses	\$	7,452,320.15

Increase appropriation to allow for operating cash to be transferred to two main Workers Compensation Fund Accounts (67A100-WC Admin. & 67A200-WC Claims) for more efficient accounting, monitor and control purposes (see related Cash Transfer request-JT1612060).

T.	01A001 – General Fund		BA1607591
	SU514141 – Capital Improvement General Fund Subsidy		
	Other Expenses	\$	(31,000,000.00)
U.	01A004 – .25% Sales Tax Fund		BA1607592
	SU515262 - .25% Capital Improvements Subsidy		
	Other Expenses	\$	31,000,000.00

An appropriation decrease/increase is requested to move appropriation from the General Fund to the .25% Sales Tax Fund. These expenses represent the costs for the remaining draws on the construction of the hotel (\$19.5 million) and the costs for the construction of the tunnel from the County Hotel to the Huntington Park Garage (\$11.5 million). Funding for these expenses will come from the .25% Sales Tax Fund.

SECTION 2. That the 2016/2017 Biennial Operating Budget for 2016 be amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM: 24A301 – Children & Family Services	BA1609086
CF135509 – Direct Services	
Personal Services	\$ 104,554.28
TO: 24A301 – Children & Family Services	
CF135467 – Administrative Services - CFS	
Personal Services	\$ 104,554.28

An appropriation transfer is requested from the Children & Family Services Direct Services account to the Administrative Services account to properly align the salary of an employee assigned to Administrative Services. The source of funding is 100% Health & Human Services Levy.

B. FROM: 01A001 – General Fund	BA1609087
FS109611 – Fiscal Office Administration	
Personal Services	\$ 273,700.17
TO: 01A001 – General Fund	
FS109629 – Office of Budget & Management	
Personal Services	\$ 56,452.68
01A001 – General Fund	
FS109637 – Financial Reporting	
Personal Services	\$ 40,834.09
01A001 – General Fund	
IT601021 – Information Technology Administration	
Personal Services	\$ 176,413.40

An appropriation transfer is requested from the Fiscal Office Administration account to the Office of Budget and Management, Financial Reporting, and Information Technology accounts to realign four staff salaries for employees who have been reassigned. The source of funding is General Fund.

C. FROM: 01A001 – General Fund	BA1609088
MI512657 – Miscellaneous	
Other Expenses	\$ 36,537.62

TO: 01A001 – General Fund
 TS160101 – Treasury Management
 Personal Services \$ 36,537.62

An appropriation transfer is requested from the Miscellaneous vacancy contingency fund to the Treasury Management account to cover the hiring of an Accountant 2 position; this position was budgeted. The source of funding is General Fund.

D. FROM: 20A301 – Real Estate Assessment Fund **BA1609091**
 BR420067 – Board of Revision – Assessment Fund
 Personal Services \$ 65,166.89

TO: 20A301 – Real Estate Assessment Fund
 FS109702 – Fiscal – Tax Assessments
 Personal Services \$ 65,166.89

An appropriation transfer is requested from the Board of Revision – assessment fund account to the Fiscal Office – Tax Assessments account to realign one staff salary for an employee who has been reassigned. The source of funding is Real Estate Assessment.

E. FROM: 01A001 – General Fund **BA1606069**
 PR191056 – Prosecutor – General Office
 Personal Expenses \$ 457,462.00
 Other Expenses \$ 492.00

TO: FROM: 01A001 – General Fund
 PR151977 – ICAC GF Task Force
 Personal Expenses \$ 457,462.00
 Capital Outlay \$ 492.00

To transfer ICAC costs into a separate index code in order to adhere with the Federal Grant Financial Management guidelines. This budget is a part of a match to the Internet Crimes Against Children Task Force (ICAC) grant. The total award provided by the Department of Justice in the amount of \$1,010,555, with a required non-federal share of \$527,954. A portion of these expenses will be covered by the (LETF funds) Law Enforcement Trust Fund, a discretionary fund in the amount of \$70,000 offsetting the general fund obligation. The remaining portion to be covered by the general fund is \$457,854.

F. FROM: 01A001 – General Fund **BA1610568**
 IT601096 – Engineering Services
 Contractual Services \$ 26,742.89

TO: 01A001 – General Fund
 IT601021 – IT Administration
 Supplies - Electricity \$ 26,742.89

A transfer is requested to cover electricity payments to Sterling Telecom for 1½ months. Information Technology receives funding from General Fund.

G.	FROM: 01A001 –General Fund EX016006 – County Executive Other Expenses	\$ 11,545.00	BA1603026
	TO: 01A001 –General Fund LA000794 – County Law Department Personal Services	\$ 11,545.00	

The transfer in appropriation reflects the shift from using outside consultants for federal lobbying activities to instead using staff attorneys. Funding comes from the General Fund.

H.	FROM: 01A001 – General Fund JA302232 –Fusion Center Other Expenses	\$ 48,880.00	BA1600098
	TO: 01A001 – General Fund JA302224 – Public Safety and Grants Management Other Expenses	\$ 48,880.00	

Appropriation realignment is requested by the Department of Public Safety and Justice Services to proper realign the original budget for the Firefighters grant match funds as approved by County Council in the proper account. Funding is from the General Fund covering the period January 1, 2016 through December 31, 2016.

I.	FROM: 21A598 – State Homeland Security Projects JA756551 –SHSP FY15-HM/CBRNE Reg. Response Team Personal Services	\$ 2,529.75	BA1600099
	TO: 21A598 – State Homeland Security Projects JA756551 – SHSP FY15-HM/CBRNE Reg. Response Team Other Expenses	\$ 2,529.75	

Appropriation realignment is requested by the Department of Public Safety and Justice Services in the State Homeland Security FY2015 Hazmat/Chemical Biological Radiological Nuclear Energy (HM/CBRNE) Regional Response Team grant to proper realign the original budget for administrative portion changes into direct services. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2015 through March 31, 2018.

J.	FROM: 21A837 – State Homeland Security (SHSG) JA763565 –FY 15 SHSP-Urban Search and Rescue (USAR) Personal Services	\$ 1,000.00	BA1600100
	TO: 21A837 – State Homeland Security (SHSG) JA763565 – FY 15 SHSP – Urban Search and Rescue (USAR) Other Expenses	\$ 1,000.00	

Appropriation realignment is requested by the Department of Public Safety and Justice Services in the State Homeland Security FY2015 Urban Search and Rescue grant to proper realign the original budget for administrative portion changes into direct services. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2015 through March 31, 2018.

K. FROM: 21A598 – State Homeland Security Projects **BA1600101**
 JA741751 –SHSP FY15-USAR-Concrete Breaching Equipment
 Personal Services \$ 1,250.00

TO: 21A598 – State Homeland Security Projects
 JA741751 –SHSP FY15 – USAR-Concrete Breaching Equipment
 Other Expenses \$ 1,250.00

Appropriation realignment is requested by the Department of Public Safety and Justice Services in the State Homeland Security FY2015 Urban Search and Rescue Concrete Breaching Equipment grant to proper realign the original budget for administrative portion changes into direct services. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2015 through March 31, 2018.

L. FROM: 21A598 – State Homeland Security Projects **BA1600102**
 JA741744 –SHSP FY15-Reg 2 Team Sustainment
 Personal Services \$ 3,262.00

TO: 21A598 – State Homeland Security Projects
 JA741744 –SHSP FY15 – Reg 2 Team Sustainment
 Capital Outlays \$ 3,262.00

Appropriation realignment is requested by the Department of Public Safety and Justice Services in the State Homeland Security FY2015 Region 2 Team Sustainment grant to proper realign the original budget for administrative portion changes into direct services. Funding is from the United States Department of Homeland Security passed through the Ohio Emergency Management Agency covering the period September 1, 2015 through March 31, 2018.

M. FROM: 20A824 – Family Justice Center **BA1600103**
 JA107441 –Family Justice Center
 Other Expenses \$ 1,000.00

TO: 20A824 – Family Justice Center
 JA107441 –Family Justice Center
 Capital Outlays \$ 1,000.00

Appropriation realignment is requested by the Department of Public Safety and Justice Services in the Family Justice Center for pending Customer Service Request for a required multi-function network device for the Witness Victim Service Center Domestic Violence unit on the 9th floor of the Justice Center. Funding is from the Health and Human Services covering the period January 1, 2016 through December 31, 2016.

N.	FROM: 22A719 – Home 2010		BA1600117
	DV713297 –Home Administration Operations FY2010		
	Other Expenses	\$	57,664.05
	TO: 22A719 – Home 2010		
	DV713438 –Home Project Plan FY2010		
	Other Expenses	\$	57,664.05

Appropriation realignment is requested by the Department of Development in the Home 2010 grant to fund related projects and rental programs pursuant to federal guidelines and meet establish deadlines in order to avoid impact future awards. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2010 through December 31, 2010 and extended to December 31, 2016.

O.	FROM: 22A045 – Home 2011		BA1600118
	DV713636 –Home Administration Operations FY2011		
	Other Expenses	\$	23,474.50
	TO: 22A045 – Home 2011		
	DV713628 –Home Project Plan FY2011		
	Other Expenses	\$	23,474.50

Appropriation realignment is requested by the Department of Development in the Home 2011 grant to fund related projects and rental programs pursuant to federal guidelines and meet establish deadlines in order to avoid impact future awards. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2011 through December 31, 2011 and extended to December 31, 2016.

P.	FROM: 22A752 – Home 2012		BA1600119
	DV713925 –Home Administration Operations FY2012		
	Other Expenses	\$	65,861.21
	TO: 22A752 – Home 2012		
	DV713933 –Home Project Plan FY2012		
	Other Expenses	\$	65,861.21

Appropriation realignment is requested by the Department of Development in the Home 2012 grant to fund related projects and rental programs pursuant to federal guidelines and meet establish deadlines in order to avoid impact future awards. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2012 through December 31, 2012 and extended to December 31, 2016.

Q.	FROM: 22A961 – Home 2013		BA1600120
	DV714188 –Home Administration Operations FY2013		
	Other Expenses	\$	37,891.56
	TO: 22A961 – Home 2012		
	DV714196 –Home Project Plan FY2013		
	Other Expenses	\$	37,891.56

Appropriation realignment is requested by the Department of Development in the Home 2013 grant to fund related projects and rental programs pursuant to federal guidelines and meet establish deadlines in order to avoid impact future awards. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2013 through December 31, 2013 and extended to December 31, 2016.

R.	FROM: 22A912 – Emergency Solution Grant 2014		BA1600125
	DV714410 –Emergency Solutions Grant 2014		
	Other Expenses	\$	2,500.00
	TO: 22A912 – Emergency Solutions Grant 2014		
	DV714410 –Emergency Solutions Grant 2014		
	Personal Services	\$	2,500.00

Appropriation transfer is requested by the Department of Development in the Emergency Solutions 2014 grant to fund eligible reimbursable payroll related pursuant to federal guidelines. Funding is from the United States Department of Housing and Urban Development covering the period January 1, 2014 through December 31, 2014 and extended to December 31, 2016.

S.	FROM: 01A001 – General Fund		BA1604509
	CT577106 – Risk and Property Management		
	Capital Outlays	\$	5,883,615.00
	TO: 01A001 – General Fund		
	SU514141 – Capital Improvements General Fund Subsidy		
	Other Expenses	\$	5,883,615.00

A transfer is requested to move the County facilities capital projects budget to the correct subsidy account. This was budgeted incorrectly in the Department of Public Works’ Risk and Property division.

SECTION 3. That the 2016/2017 Biennial Operating Budget for 2016 be amended to provide for the following cash transfers between County funds:

A.	FROM: 40A069 – Capital Projects		JR1600003
	CC768531 – Hunter Building and Men’s Shelter		
	Transfer Out	\$	353,780.98
	TO: 40A069 – Capital Projects		
	CC768895 – Men’s Shelter Reconstruction		
	Revenue Transfer	\$	353,780.98

To transfer residual equity (cash) from the Hunter Building and Men’s Shelter account which is being closed out since that project is now complete (see reduction BA1600096). Funding was from 2014 Sales Tax Revenue Bonds originally intended for the Hunter Building and Men’s Shelter roof replacement. The use of the bond proceeds for county facilities is an allowable transfer.

B. FROM: 20A814 – Wireless 9-1-1 Government Assistance **JT1600107**
 JA106773 – Wireless 9-1-1 Government Assistance
 Transfer Out \$ 1,000,000.00

TO: 20A825 – 9-1-1 Consolidation Shared Service
 JA106781 – Cuyahoga County 9-1-1 Consolidated Shared Service
 Revenue Transfer \$ 1,000,000.00

Requesting an operating transfer from the Wireless9-1-1 fund to the Consolidation Shared Services fund to all for the Heights-Hillcrest Group Public Safety Answering Point (PSAP) project. The Wireless 9-1-1Government Assistance is a special revenue account which has been established under House Bill 361 passed on May 1, 2005. The current cash balance in this fund is approximately \$7.2 million. The fund receives revenues from user fees on all cell phones in the County.

C. FROM: 20A268 – CF Treatment Services Medicaid Funds **JR1609092**
 CF134056 – CF Treatment Services Medicaid Funds
 Transfer Out \$ 184,558.83

TO: 20A301 – Children and Family Services PA
 CF135541 – Multi-System Therapy Unit
 Revenue Transfer \$ 184,558.83

A residual equity transfer is request from Children and Family Services Treatment Services Medicaid Fund to the Multi-Systemic Therapy Unit in order to utilize the cash remaining for an MST-SBT contract.

D. FROM: 67A006 – Workers Comp Retro '06 **JT1612060**
 CC498832 – Workers Comp Retro '06
 Transfer Out \$ 197,220.74

FROM: 67A007 – Workers Comp Retro '07
 CC498840 – Workers Comp Retro '07
 Transfer Out \$ 1,225,654.57

FROM: 67A008 – Workers Comp Retro '08
 CC498857 – Workers Comp Retro '08
 Transfer Out \$ 3,801,882.02

FROM: 67A009 – Workers Comp Retro '09
 CC498865 – Workers Comp Retro '09
 Transfer Out \$ 3,109,307.73

FROM: 67A010 – Workers Comp Retro '10
 CC498873 – Workers Comp Retro '10
 Transfer Out \$ 1,097,394.80

FROM: 67A011 – Workers Comp Retro '11
 CC498881 – Workers Comp Retro '11
 Transfer Out \$ 951,207.74

FROM: 67A012 – Workers Comp Retro ‘12 CC498899 – Workers Comp Retro ‘12 Transfer Out	\$	2,630,333.60
FROM: 67A013 – Workers Comp Retro ‘13 CC498915 – Workers Comp Retro ‘13 Transfer Out	\$	2,583,869.39
FROM: 67A014 – Workers Comp Retro ‘14 HR498923 – Workers Comp Retro ‘14 Transfer Out	\$	7,452,320.15
TO: 67A100 – Workers Comp-Administration HR498006 – Workers Comp Administration Revenue Transfer	\$	5,224,757.33
TO: 67A200 – Workers Comp-Claims HR498014 – Workers Comp Claims Revenue Transfer	\$	17,824,433.41

To transfer cash balances from previous Workers Compensation Retrospective accounts (9 accounts) to new structure (2 accounts) for more efficient accounting, monitor and control of Workers Compensation funds (see related Additional Appropriation request BA1612059).

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 CC022
April 12, 2016



ARMOND BUDISH
Cuyahoga County Executive

TO: Jeanne Schmotzer, Clerk of County Council
FROM: Maggie Keenan, Office of Budget and Management
CC: Dennis Kennedy, Fiscal Office
DATE: April 6, 2016
RE: Fiscal Agenda –Council Meeting

The Office of Budget & Management requests that the members of County Council consider the attached fiscal resolution for approval on first reading at the meeting on **April 12, 2016**. The requested fiscal items, including additional appropriations, appropriation transfers, and cash transfers, meet agency budgetary needs.

This agenda includes requests related to a capital project to complete HVAC and sprinkler work at the men's shelter at 2100 Lakeside that is *not* included in the approved 2016 Capital Improvement Plan, supported by leftover cash from the shelter roof replacement project. It's important to note that the cash surplus from the roof project could be redirected to support projects included in the CIP, and offset the 2016 General Fund contribution, but the recommendation is to proceed with the additional repairs at the shelter since improving that facility was the original intent of the project and maintaining the infrastructure is necessary to ensuring the shelter can continue to provide vital services.

The appropriation increase for Children and Family Services is supported by the cash transfer request to move Medicaid revenue already earned by the agency into its operating fund. This appropriation increase does not impact the agency's subsidy from the Health and Human Services Levy Fund.

The decrease/increase for Public Safety and Justice Services is reflective of the decision to cancel a 2015 contract for PSAP consolidation totaling \$1,968,000 that fell through in favor of a \$1 million contract with the Heights-Hillcrest Group for PSAP consolidation. The 2016 contract is supported by the Wireless 911 Fund, which receives no support from the General Fund.

The Workers Compensation items are related to our efforts to consolidate the Workers Compensation Funds. In the past, the County has maintained separate funds for each of the 10 years included in the retrospective program: this was unnecessary and was overly complicated and burdensome. The increases in appropriation are needed in order to transfer the cash balances in the various funds – totaling more than \$23 million – into the consolidated funds: Administration and Claims. Workers Compensation activity is recorded in an internal service fund, which derives revenue from chargebacks to the agencies. Historically, approximately 40% of the charges are to General Fund agencies.

This agenda also includes a request to transfer appropriation from the Miscellaneous Obligations account, which includes a \$3 million allocation for 2016 General Fund vacancies, to Treasury following the filling of an Account 2 position. This represents the fourth request to transfer funds, the previous three included:

- Fiscal - \$365,549.26 – 2/23
- IT - \$156,474.71 – 3/8
- IT - \$64,833.44 – 3/22

If the current request is approved, the remaining balance in that account will total \$2.4 million.

Finally, the \$5.9 million transfer from the Department of Public Works to the Capital Improvements General Fund Subsidy account is necessary to properly budget where the expenses will be incurred. In the original budget, the General Fund support of the 2016 CIP was included in the Department of Public Works' budget, though this is not where the expenditures ultimately post. This transfer corrects that and realigns the budget based on proper accounting of activity.

A brief summary of the fiscal items submitted for consideration for adoption on first reading at the regular County Council meeting are presented below by agency/department.

Additional Appropriation Summary – Additional appropriation is requested when there is a new or increased revenue source, or to cover expenditures that exceed the original estimate. A reduction in appropriation is requested in conjunction with the close-out of a program, grant, or project or decertification of an encumbrance.

Department	Amount Requested	Funding Source
Capital Projects	\$127,012.00	Special Revenue – Sales Tax Bonds
CBCF Operating	\$65,000.00	Grant – No General Fund Impact
Children & Family Services	\$184,558.83	Special Revenue – No HHS Levy Impact
Development	(\$8,246.87)	Grant – No General Fund Impact
Job & Family Services	\$5,509,912.00	Special Revenue – No HHS Levy Impact
Medical Examiner	\$29,968.61	Grant – No General Fund Impact
Prosecutor's Office	\$70,000.00	Special Revenue – No General Fund Impact
Public Safety & Justice Services	(\$968,000.00)	Special Revenue – General Fund Impact
Public Safety & Justice Services	\$1,000,000.00	Special Revenue – No General Fund Impact
Public Safety & Justice Services	\$684,681.00	Grant – No General Fund Impact
Sheriff	\$110,000.00	Grant – No General Fund Impact
Workers Compensation	\$23,049,190.74	Special Revenue – General Fund Impact
TOTAL	\$29,854,076.31	

The following represents the overall changes made to the Annual Appropriation Measure for 2016 since its adoption on December 8, 2015 via Resolution R2015-0209. The changes reflect the Additional Appropriations, Appropriation Transfers and Cash Transfers to the original adopted appropriation resolution.

	Proposed 04/12/2015	Year-To-Date Amendments	R2015-0209	Adjusted Annual Appropriation
General Fund	\$ 0.00	\$12,777.45	\$373,115,578.00*	\$373,128,355.45
HHS Levy Impact	\$ 0.00	\$0.00	\$237,653,893.00	\$237,653,893.00
Other Fund	\$ 23,854,076.31	\$44,905,810.85	\$859,036,267.00	\$916,998,343.02
Total Impact	\$ 23,854,076.31	\$44,918,588.30	\$1,469,805,738.00	\$1,527,780,571.47

*Please note that the General Fund budget reflected above excludes the activity associated with the 0.25% Sales Tax.

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

Department	Amount Transferred	Funding Source
Children & Family Services	\$104,554.28	HHS Levy
Fiscal/Information Technology	\$273,700.17	General Fund
Miscellaneous/Treasury	\$36,537.62	General Fund
Fiscal	\$65,166.89	Special Revenue – No General Fund Impact
Prosecutor’s Office	\$457,954.00	General Fund
Information Technology	\$26,742.89	General Fund
Executive/Law	\$11,545.00	General Fund
Public Safety & Justice Services	\$48,880.00	General Fund
Public Safety & Justice Services	\$8,041.75	Grant – No General Fund Impact
Public Safety & Justice Services	\$1,000.00	HHS Levy
Development	\$187,391.32	Grant – No General Fund Impact
Public Works/Capital Projects	\$5,883,615.00	General Fund
TOTAL	\$7,105,128.92	

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.

Department	Amount Transferred	Funding Source
Children and Family Services	\$184,558.83	Special Revenue – No HHS Impact
Public Safety & Justice Services	\$1,000,000.00	Special Revenue – No General Fund Impact
Workers Compensation	\$23,049,190.74	Special Revenue – General Fund Impact
TOTAL	\$24,233,749.57	

Thank you for your consideration. Should you have any questions, please do not hesitate to contact me at x8191 or mkeenan@cuyahogacounty.us.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0078

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's appointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Development Board for an unexpired term ending 6/30/2018, 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 Development Board (fka 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 Armond Budish has nominated the following individuals to serve on the Cleveland/Cuyahoga County Workforce Development Board for an unexpired term ending 6/30/2018:

- a) Theodore N. Carter
- b) Hermione Malone; 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 County Executive's appointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Development Board for an unexpired term ending 6/30/2018 as follows:

- a) Theodore N. Carter
- b) Hermione Malone

SECTION 2. It is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual daily operation of the County. Provided that this Resolution receives the affirmative vote of at least eight members of Council, this Resolution shall become immediately effective.

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

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

Yeas:

Nays:

_____	_____
County Council President	Date

_____	_____
Clerk of Council	Date

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

Journal _____
_____, 20__



ARMOND BUDISH
Cuyahoga County Executive

March 29th, 2016
Dan Brady, President
Cuyahoga County Council

Re: Workforce Development Board (WDB, formerly known as the WIB)

Dear President Brady:

Pursuant to federal and state regulations and the joint agreement between the City of Cleveland and Cuyahoga County, I nominate the following individuals for service on the Workforce Development Board:

COUNTY

- **Ted Carter (New) of Cleveland, Cuyahoga County (replacing Larry Benders)**

The nomination is for a full term to serve beginning 7/1/15 expiring 6/31/18.

- **Hermione Malone (New) of Cleveland, Cuyahoga County (open)**

The nomination is for a full term to serve beginning 7/1/15 expiring 6/31/18.

Note- Hermione Malone does not replace Gayle Agahi, previously of the Cleveland Clinic. Ms. Agahi remains on the board.

The Workforce Development Board is a 34 member joint board between Cuyahoga County and the City of Cleveland to administer funds for workforce training of residents.

34	Total Members
5	Required
7	20% Workforce
18	51% Business (Not to exceed 75%)
4	Any Category
12	Joint Appointments
11	County
11	City

The candidates submitted help to fulfill the required memberships for this board. Candidates for this board may not serve more than six years consecutively. The WDB is the governing board of the local WDB.

Should you or any of your colleagues have any questions, please feel free to contact Chris Glassburn in my office at cglassburn@cuyahogacounty.us or 216-443-7127.



ARMOND BUDISH
Cuyahoga County Executive

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Armond Budish".

Armond Budish
Cuyahoga County Executive

cc:
Councilwoman Yvonne Conwell
Sharon Sobol Jordan
Joe Nanni
Jeanne Schmotzer

Kris Moore
Chris Glassburn
Laura Trotter



ARMOND BUDISH
Cuyahoga County Executive



Ted Carter, of Cleveland

Contact:

216-443-7275 tcarter@cuyahogacounty.us

Executive Director of the Office of Economic Development for Jacksonville, Florida, until July 2015. Prior to that, he was an executive managing director for CBRE Group, Inc. in Washington, D.C.

Ted Carter is catalytic leader, committed to public/private partnerships that they are the key to the growth of America's cities and communities, economically and culturally. Ted's background reflects strong multidisciplinary experience in management, sales, marketing and public policy with an emphasis on delivering results strategically and operationally, through leadership, collaboration, and teamwork. Ted has contributed to \$1.5 B+ of real estate, economic and community development projects during his career.

Ted received his MPA from The American University and BS in Foreign Service from Georgetown University. He has also completed courses in real estate and infrastructure at Harvard University. Ted served on the boards of two global economic empowerment organizations, and currently serves as Chairman for Take Stock in Children, based in Florida. He formerly chaired Jubilee housing in Washington, DC. He is also a member of Business Executives for National Security.



ARMOND BUDISH
Cuyahoga County Executive



Hermione Malone, of Cleveland

Contact:



Resume Attached.



ARMOND BUDISH
Cuyahoga County Executive

Astute communicator, skilled in bringing stakeholders together for effective collaboration. Innovative in approaches to strategic planning, program development and design. Recognized by superiors and external partners for stellar leadership and partnership cultivation.

EXPERIENCE

Cleveland Clinic • Cleveland, OH • 3/13-Present

Multi-specialty academic medical center with 4,400 beds system-wide that integrates clinical and hospital care with research and education.

SENIOR DIRECTOR, WORKFORCE READINESS AND SUPPLIER DIVERSITY (07/15-PRESENT)

- Responsible for connecting the Cleveland Clinic organization to the Cleveland community to equip current and future caregivers with the knowledge, skills and experiences necessary to meet our staffing needs
- Responsible for the overall strategy of specialty recruiting programs for Cleveland Clinic
- Architect of corporate supplier diversity program to include metrics, policies and protocols designed to increase Cleveland Clinic spend with minority-, women-, and veteran-owned companies, among others
- Representative of Cleveland Clinic on community-based economic inclusion initiatives
- Responsible for the ongoing education and engagement of internal key stakeholders to drive a culture of inclusion in procurement

SUPPLIER DIVERSITY DIRECTOR (05/14-7/15)

- Architect of corporate supplier diversity program to include metrics, policies and protocols designed to increase Cleveland Clinic spend with minority-, women-, and veteran-owned companies, among others
- Representative of Cleveland Clinic on community-based economic inclusion initiatives
- Responsible for the ongoing education and engagement of internal key stakeholders to drive a culture of inclusion in procurement

PROJECT MANAGER, SUPPLIER DIVERSITY (3/13-5/14)

- Responsible for the design and implementation of strategy aimed at achieving targeted, sustainable outcomes with diverse suppliers in furtherance of Cleveland Clinic's efforts to help create economic development opportunities within the communities we serve. Driving increased bid opportunity, higher dollar spend, and growth of diverse vendors undergird this strategy.

University Hospitals • Cleveland, OH • 3/2005-3/2013

Regional healthcare system comprised of six wholly-owned hospitals performing more than 4.5 million outpatient procedures and nearly 63,000 inpatient discharge annually

COMMUNITY OUTREACH MANAGER, SEIDMAN CANCER CENTER (06/08-03/13)

- Developed and manages Office of Community Outreach strategic plan in alignment with the Seidman Cancer Center and Case Comprehensive Cancer Center
- Architect of innovative cancer screening program supported by multi-year, external grant funding
- Drives development and management of comprehensive community outreach programs including education and preventative screenings
- Implemented department metrics driving increased reach and effectiveness
- Three direct reports

HENRY MEYER III KEYBANK ADMINISTRATIVE FELLOW (2007-08)

- Inaugural healthcare administration fellow, with hands-on orientation into all facets of healthcare administration among wholly-owned hospitals, administrative departments and Centers of Excellence including: planning, finance, legal and compliance, marketing, clinical services, quality, operations, business planning, and executive management.

MANAGER, REWARDS & RECOGNITION (2006-07)



ARMOND BUDISH
Cuyahoga County Executive

- Developed the first corporate recognition strategy to include training, resource development, communication, and evaluation
 - Created University Hospitals' first strategic, comprehensive, system-wide recognition program including day-to-day, informal, and formal programs; coordinated communication strategy for 500+ managers on recognition basics and system use; independently developed individual department recognition budgets for all departments within the health system
 - Lead relationship manager for employee services vendors
 - Allocation responsibility for \$600,000 department budget; One direct report
- COORDINATOR, EMPLOYEE SERVICES (2005-06)

- Increased employee engagement as measured by Gallup surveys through the development of targeted recognition programs tied to corporate values and behaviors
- Sole planner for annual 1,200-person employee gala
- Allocation responsibility for \$450,000 department budget
- Negotiated contracts with vendors; managed multiple event coordination simultaneously

Susan G. Komen For the Cure Northeast Ohio Affiliate • Cleveland, OH • 6/04-3/05
Local affiliate of national foundation serving 22 counties in Northeast Ohio dedicated to ending breast cancer forever

ADMINISTRATIVE DIRECTOR (2004-2005)

- Responsible for online registration logistics related to Race for the Cure
- Primary event planner for educational functions and 500-person annual luncheon program
- Managed donor/volunteer database and designed communication from the affiliate office to members, donors, and grantees

Cleveland Plain-Dealer • Cleveland, OH • 1/05-5/05
Ohio's largest daily newspaper with nearly 800,000 readers daily

PROJECT CONSULTANT (2005)

Savannah Morning News • Savannah, GA • 01/02-07/03
Daily newspaper serving metropolitan Savannah and parts of South Carolina with just under 54,000 readers daily

TRENDS REPORTER/EDITOR OF MONTHLY YOUTH PUBLICATION

Charlotte Observer • Charlotte, NC • 08/00-09/01
Daily newspaper serving metropolitan Charlotte and parts of South Carolina with just over 500,000 readers daily

RETAIL BUSINESS REPORTER

The Morning Call • Allentown, PA • 02/00-08/00
The Lehigh Valley's largest news outlet with daily circulation of just under 95,000

RETAIL/SMALL BUSINESS REPORTER

The Boston Globe • Boston • 01/99-01/00
The #1 daily newspaper in New England with a daily circulation of roughly 313,000

ONE-YEAR NEWS RESIDENT

EDUCATION

Case Western Reserve University, Weatherhead School of Management, Cleveland, OH
MBA, Marketing/Entrepreneurship Concentrations, 05/05

Florida A&M University, Tallahassee, FL
BS, Journalism, 12/98



ARMOND BUDISH
Cuyahoga County Executive

COMMUNITY/AFFILIATIONS/PERSONAL

- Board Member, Ohio Minority Supplier Development Council
- Steering Committee Member, Ohio River Valley Women's Business Council
- Member, Cleveland Medical Association Advisory Council
- Member, The Cleveland Chapter Links, Inc.
- Member, Junior League of Cleveland, Inc. (President 2011-2013)
- Alumna, Cleveland Bridge Builders (civic leadership development program), Class of 2008
- Susan G. Komen For the Cure Northeast Ohio Affiliate: Board of Directors (2006-2010); 2010 Race Development Chairperson; Race Chairperson, 2007 Race for the Cure®
- Kaleidoscope Magazine, "Forty Under 40" award recipient, 2010
- Guinness World Record holder, enthusiastic baker and traveler

CERTIFICATES/CERTIFICATIONS

Change Management Process Certified (2007), Prosci Learning Center
Diversity Management Certificate (2015), Cornell University School of Industrial and Labor Relations

SKILLS

Grant writing	Strategic Planning	Event Planning	Persuasive/Explanatory Writing
Volunteer Management	Project Management	Public Speaking	Social Media
Non-Profit Management	Partnership Cultivation	Program Design	

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0079

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's reappointment of Karen Moss to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for the term 3/1/2016 - 2/28/2019, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, Ohio Revised Code Chapter 306 provides for the creation of a Regional Transit Authority; and

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

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

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

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

WHEREAS, the County Executive has nominated Karen Moss to be reappointed to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for the term 3/1/2016 - 2/28/2019; 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 County Executive's reappointment of Karen Moss to serve on the Greater Cleveland Regional Transit Authority Board of Trustees for the term 3/1/2016 - 2/28/2019.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective.

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

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

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

Journal _____
_____, 20__



ARMOND BUDISH
Cuyahoga County Executive

March 29th, 2016
Dan Brady, President
Cuyahoga County Council

Re: Greater Cleveland Regional Transit Authority Board of Trustees (RTA)

Dear President Brady:

Pursuant to Section 306 of the Ohio Revised Code and the 1974 joint County-City of Cleveland legislation enacting the RTA, I submit the following nomination for service on the RTA Board of Trustees:

- **Karen Moss, of Cleveland, Cuyahoga County (Reappointment)**

The nomination is for a full term to serve beginning 3/1/16 expiring 2/31/19.

One of three County appointments must be a resident of the City of Cleveland. Appointee Karen Moss fulfills this requirement.

There are no other candidates on file for this position.

Trustees serve three year terms until they resign or are replaced. This term begins effective March 1st, 2016 and ends March 1st, 2019.

The reappointed member has a sufficient attendance record.

There are no known conflicts of interest for which an advisory opinion has been requested.

Board members are compensated \$4,800 annually.

Ms. Moss is an attorney in Cleveland. Her biography is attached.

Should you or any of your colleagues have any questions, please feel free to contact Chris Glassburn in my office at cglassburn@cuyahogacounty.us or 216-443-7127.

Sincerely,

Armond Budish
Cuyahoga County Executive

cc: Councilwoman Yvonne Conwell
Sharon Sobol Jordan
Joe Nanni
Jeanne Schmotzer

Kris Moore
Chris Glassburn
Laura Trotter



ARMOND BUDISH
Cuyahoga County Executive



Karen Moss of Cleveland, Cuyahoga County

LEGAL EXPERIENCE

- Rosner, Ortman & Moss Partners: Associate (1999-2004), Partner (2005-present)
- Practicing in the area of Immigration & Naturalization Law with focus on Employment & Family based immigration.
- Karen Gabriel Moss LPA Co. (Attorney) and Karen K. Meade & Associates Co. LPA (Of Counsel) (1996-1999): Practiced in the area of Immigration & Naturalization Law with focus on Employment & Family based immigration.
- Margaret Wong & Associates: (Associate) (1994-1996). Practiced in the area of Immigration & Naturalization Law with focus on Employment & Family based immigration.
- Cleveland-Marshall College of Law, Adjunct Instructor (2001): Taught Immigration and Nationality Law course.
- Licensed to practice in Ohio and United States District Court, Northern District.

PROFESSIONAL HONORS & ORGANIZATIONS:

- 2009-2016 *Cleveland's Best Lawyers* in Immigration Law: selected by peers.
- 2016 *Cleveland's Lawyer of the Year* in Immigration Law: *Cleveland's Best Lawyers*, selected by peers.
- AILA (American Immigration Lawyers Association): Member, Past liaison to the Department of Labor for the state of Ohio; National mentor in Labor Certification; AILF (American Immigration Law Foundation) Past Ambassador; and Speaker at local and regional CLE conferences.

EDUCATION

- Miami University, Oxford, Ohio: B.A. in Political Science (1984).
- IIT Chicago Kent College of Law, Chicago, Illinois; J.D. (1989).

BOARD EXPERIENCE

- Greater Cleveland Regional Transit Authority, Member, Board of Trustees (2011 -present). Member of Finance, Safety and Planning & Development Committees.
- Assessment Equalization Board to Counsel of the City of Cleveland (2010 & 2011)
- Tremont West Development Corporation, Board of Trustees (2005-2011); Served as Vice President, Nominations Chair and Finance Committee member.
- Merrick Settlement House, Board of Trustees (1994-2000); Secretary (1999-2000).
- Women's Community Foundation (1997).

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0080

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing the transfer of real property located at E. 79 th Street and Hillside Road, Cleveland, also known as Hillside Community Park, Permanent Parcel No. 124-29-010 to Burten, Bell, Carr Development, Inc.; authorizing the County Executive to execute the quit claim deed and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, pursuant to Section 501.01(B) of the Cuyahoga County Code, notwithstanding any requirements or limitations of the Ohio Revised Code, Ohio Administrative Code, or any other applicable law or regulation, pursuant to the County's home rule powers, the County may enter into any real-estate and real-estate related transactions, and there shall be no limitations on the duration of any such transactions; and

WHEREAS, the County Executive/Department of Public Works has recommended the transfer of real property located at E. 79th Street and Hillside Road, Cleveland, also known as Hillside Community Park, Permanent Parcel No. 124-29-010 to Burten, Bell, Carr Development, Inc.; and

WHEREAS, it is the intent of the County to transfer to Burten, Bell, Carr Development, Inc. the real property known as Hillside Community Park, Permanent Parcel No. 124-29-010 located at E. 79th Street and Hillside Road, Cleveland, located in County Council District 8, for so long as such property is maintained as a public park; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue without interruption, and to provide for the usual, daily operation of a county development.

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

SECTION 1. That the Cuyahoga County Council hereby authorizes the transfer of real property located at E. 79th Street and Hillside Road, Cleveland, also known as Hillside Community Park, Permanent Parcel No. 124-29-010 to Burten, Bell, Carr Development, Inc. to be used and maintained as a public park.

A. Scope of Work Summary

1. The Department of Public Works is requesting approval of the donation of one parcel of land to the Burten, Bell, Carr Development, Inc. for PPN# 124-29-010.
2. This is not a County project. The property is conveyed to Grantee in its current “as is” condition, and shall be restricted to use as a public park.
3. N/A

B. Procurement

1. Burten, Bell, Carr Development, Inc. has requested and the County has agreed to donate the land. This request was authorized and overseen by Sarah Cammock, Cuyahoga County Law Department (216) 443-7041.
2. N/A
3. N/A

C. Contractor and Project Information

1. The address of Burten, Bell, Carr Development, Inc. is:
Burten, Bell, Carr Development, Inc.
7201 Kinsman Road, Suite 104
Cleveland, Ohio 44104
Phone: (216) 341-1455
Fax: (216) 341-2683
Website: bbcdevelopment.org
BBC’s hours of operation are 8am to 5pm, Monday through Friday.
2. The Executive Director and staff:
[Timothy Tramble](#) – Executive Director
[Joy D. Johnson](#) – Associate Director
[Jeffrey Sugalski](#) – Real Estate Development Director
[Sherita Mullins](#) – Director of Social Enterprises
[Jason T. Minter](#) – Real Estate Development Specialist
Council District is District 8 – Pernel Jones.
Per Sarah Cammock, the property doesn’t really have an address – it’s the Hillside Community Park.
3. Address location of project: PPN 124-29-010 donation is located in Council District 8 .

D. Project Status and Planning

1. N/A
2. N/A
3. N/A
4. N/A
5. The Quit Claim Deed needs three original signatures in ink; Burten, Bell, Carr Development Inc., original to be filed at County and one kept on file in The Department of Public Works.

E. Funding

1. N/A
2. N/A
3. The project is a Quit Claim Deed, donation of land from the County to Burten, Bell, Carr Development Inc.

QUITCLAIM DEED

THIS DEED (“Deed”) is made as of March __, 2016, by the COUNTY OF CUYAHOGA, OHIO, a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the date hereof (“Grantor”), having its principal place of business at 2079 East 9th Street, Cleveland, Ohio 44115, in favor of BURTEN, BELL, CARR DEVELOPMENT, INC., its successors and assigns, whose tax-mailing address is 7201 Kinsman Road, #104, Cleveland, Ohio 44104 (“Grantee”).

WITNESSETH THAT:

Grantor, for valuable consideration, the receipt and sufficiency whereof being hereby acknowledged, does hereby remise, release and forever quit-claim unto Grantee, and Grantee’s heirs, successors and assigns, forever, all of Grantor’s right, title and interest in and to (a) the real property described in Exhibit A, attached hereto and made a part hereof (collectively, the “Land”), and (b) all improvements located thereon, and all appurtenances thereto (collectively, the “Appurtenances”). The Land and Appurtenances are herein collectively referred to as the “Property”.

The Property is conveyed to Grantee in its current “as is” condition, and shall be restricted to use as a public park.

Grantor specifically reserves, and this conveyance is made expressly subject to, any easements of record in favor of Grantor and, in addition thereto, such easements as are necessary for public utilities (including without limitation, sanitary and storm sewers, electric, telephone and other transmission lines, cables, gas and water lines) presently located on the Property.

Prior Instrument Volume 6243, Page 154 of Cuyahoga County Records
Reference:

Parcel No(s): 124-29-010

[Signature page follows.]

TO HAVE AND TO HOLD the Property unto Grantee, his heirs, successors and assigns, forever.

IN WITNESS WHEREOF, Grantor has caused these presents to be duly executed as of the date first above written.

The legal form and correctness of this **GRANTOR:** Agreement is hereby approved:

COUNTY OF CUYAHOGA, OHIO

Cuyahoga County Law Department
Robert J. Triozzi, Director of Law

By: _____

By: _____

Date: _____

Armond Budish, County Executive, by
_____, Chief of Staff (pursuant to
Executive Order No. EO2015-0001 dated
January 21, 2015)

Dated: _____, 2016

STATE OF OHIO)
) ss:
COUNTY OF CUYAHOGA)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above-named County of Cuyahoga, Ohio, a body corporate and politic and a political subdivision of the State of Ohio, by _____, Chief of Staff, for and on behalf of, and as authorized designee of, Armond Budish, its Executive, pursuant to Executive Order No. EO2015-0001 dated January 21, 2015, personally known to me, who being first duly sworn, did upon oath acknowledge that he did sign the foregoing instrument in such capacity on behalf of the County of Cuyahoga, Ohio and is duly authorized to do so, and that the same is the free act and deed of the County of Cuyahoga, Ohio, and his free act and deed individually and in the aforescribed capacity.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, this ____ day of _____ 2016.

Notary Public
[SEAL]

My commission expires: _____

Exhibit A

Legal Description

PARCEL I 124-29-010

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sub Lots Nos. 68, 79, 80, 81, 82 & part of Minnie Avenue, S.E., (formerly Southeast Avenue), now vacated, in Charles Leavitt's Subdivision of part of Original One Hundred Acre Lots Nos. 327 and 330, as shown by the recorded plat in Volume 5 of Maps, Page 31 of Cuyahoga County Records, and part of Sub Lots Nos. 5, 6, 7, 8, 9 and 10 in R. Yeakel and others' Allotment of part of Original One Hundred Acre Lots Nos. 327, 330, 423 and 431, as shown by the recorded plat in Volume 6 of Maps, Page 12 of Cuyahoga County Records, and a part of Sub Lot No. 105 in J.H. Hardy's Subdivision of part of Original One Hundred Acre Lot No. 330, as shown by the recorded plat in Volume 6 of Maps, Page 2 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Westerly line of East 79th Street, 60 feet wide, with the Northerly line of Hillside Road, S.E., 40 feet wide; thence Northerly along the Westerly line of East 79th Street, about 240 feet to the Southeasterly corner of the fourth parcel of land conveyed to The City of Shaker Heights by deed dated August 31, 1944, and recorded in Volume 5806, Page 9 of Cuyahoga County Records; thence Westerly along the Southerly line of land so conveyed to The City of Shaker Heights, about 186 feet to an angle therein; thence Southwesterly along the Southeasterly line of the fourth parcel of

land so conveyed to The City of Shaker Heights, about 95 feet to a point; thence Southwesterly continuing along said Southeasterly line, about 115 feet to the Northeasterly line of Hillside Road, S.E.; thence Southeasterly along the Northeasterly line of Hillside Road, S.E., 212 32/100 feet to an angle therein; thence Easterly, along the Northerly line of Hillside Road, S.E., 214 40/100 feet to the place of beginning, as appears by said plats, but subject to all legal highways.



SITE LEGEND

- 1 Pedestrian Walking Patterns
- 2 Dilapidated Playground Equipment



E 79TH STREET LOT
 Existing- Site Plan
 E 79th Blue/Green Station
 Cleveland, OH 44102

BURTEN, BELL, CARR
 DEVELOPMENT, INC.
 7201 Kinsman Rd
 Cleveland, OH 44104
 (216) 341-1455

Produced March 11, 2014

NEIL JUHNKE SENT TO SARAH CAMMOCK (LAW) 3/3/16



SITE LEGEND

- 1 Park Gateway
- 2 RTA Access
- 3 Storm-water Retention Basin
- 4 Lawn Mound
- 5 Playground
- 6 Walking/Jogging Track
- 7 Outdoor Exercise Stations
- 8 Future Trail to UAIZ
(Urban Agriculture Innovation Zone)



HILLSIDE COMMUNITY PARK

Proposed - Site Plan

E 79th Blue/Green Station
Cleveland, OH 44102

BURTEN, BELL, CARR
DEVELOPMENT, INC.

7201 Kinsman Rd
Cleveland, OH 44104
(216) 341-1455

Produced March 11, 2014



HILLSIDE COMMUNITY PARK

Existing - View from Minnie

E 79th Blue/Green Station
Cleveland, OH 44102

BURTEN, BELL, CARR
DEVELOPMENT, INC.

7201 Kinsman Rd
Cleveland, OH 44104
(216) 341-1455

Produced March 11, 2014



HILLSIDE COMMUNITY PARK

Proposed - View from Minnie

E 79th Blue/Green Station
Cleveland, OH 44102

BURTEN, BELL, CARR
DEVELOPMENT, INC.

7201 Kinsman Rd
Cleveland, OH 44104
(216) 341-1455

Produced March 11, 2014



HILLSIDE COMMUNITY PARK

Existing - RTA Approach from Minnie

E 79th Blue/Green Station
Cleveland, OH 44102

BURTEN, BELL, CARR
DEVELOPMENT, INC.

7201 Kinsman Rd
Cleveland, OH 44104
(216) 341-1455

Produced March 11, 2014



HILLSIDE COMMUNITY PARK

Proposed - RTA Access from Minnie

E 79th Blue/Green Station
Cleveland, OH 44102

BURTEN, BELL, CARR
DEVELOPMENT, INC.

7201 Kinsman Rd
Cleveland, OH 44104
(216) 341-1455

Produced March 11, 2014



HILLSIDE COMMUNITY PARK

Existing - RTA Approach from Minnie

E 79th Blue/Green Station
Cleveland, OH 44102

BURTEN, BELL, CARR
DEVELOPMENT, INC.

7201 Kinsman Rd
Cleveland, OH 44104
(216) 341-1455

Produced March 11, 2014



HILLSIDE COMMUNITY PARK

Existing - RTA Approach from Minnie

E 79th Blue/Green Station
Cleveland, OH 44102

BURTEN, BELL, CARR
DEVELOPMENT, INC.

7201 Kinsman Rd
Cleveland, OH 44104
(216) 341-1455

Produced March 11, 2014

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0081

Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution making an award on RQ35911 to Youth Opportunities Unlimited in the amount not-to-exceed \$5,659,912.00 for the Temporary Assistance to Needy Families Summer Youth Employment Program for the period 5/1/2016 - 8/31/2016; 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.
---	--

WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services has recommended an award on RQ35911 to Youth Opportunities Unlimited in the amount not-to-exceed \$5,659,912.00 for the Temporary Assistance to Needy Families Summer Youth Employment Program for the period 5/1/2016 – 8/31/2016; and

WHEREAS, the goal of this project is to enhance employment skills of TANF-eligible youth by providing high quality paid employment 25-30 hours per week for approximately 6-12 weeks; and

WHEREAS, the funding for this project is 97% by Federal TANF funds and 3% by Health and Human Service Levy Funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ35911 to Youth Opportunities Unlimited in the amount not-to-exceed \$5,659,912.00 for the Temporary Assistance to Needy Families Summer Youth Employment Program for the period 5/1/2016 – 8/31/2016.

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

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

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

Yeas:

Nays:

_____	_____
County Council President	Date

_____	_____
County Executive	Date

_____	_____
Clerk of Council	Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
 _____, 20__

Legislative Action Request Form

Title: Cuyahoga Job and Family Services 2016 Contract Amendment RQ# 35911
Youth Opportunities Unlimited
Contract: TANF Summer Youth Employment Program

A. Scope of Work Summary

1. Cuyahoga Job and Family Services is requesting to award a contract with the Youth Opportunities Unlimited for the amount of \$5,659,912.00. The contract period is May 1, 2016 to August 31, 2016.
2. The primary goals of the program:

- To enhance employment skills of TANF-eligible youth in Cuyahoga County by contracting with a service provider(s) who can provide high quality paid employment for 25-30 hours per week between 6 and 12 weeks for the period of May 1, 2016 through August 31, 2016.

B. Procurement

1. The procurement method for this project was RFP.
2. The RFP RQ# 35911 was closed on January 15, 2016 at 11:00am.
3. There were two (2) proposals submitted for review, one (1) proposal is being recommended for approval.

C. Contractor and Project Information

1. The address of the vendor:
Youth Opportunities Unlimited
1361 Euclid Avenue
Cleveland, OH 44115
Council District (07)

2. The President for the vendor is Carol Rivchun.
- 3.a The locations for the program will be throughout Cuyahoga County.

D. Project Status and Planning

1. The project reoccurs annually.
2. The program is on a critical action path to enable service delivery beginning May 1, 2016.

E. Funding

1. The project is funded 97% by Federal TANF and 3% HHS Levy funding.
2. The schedule of payments is by monthly invoice.

Date sent to Dept: 1/15/2016 sub
 Date Received from Dept: _____
 (OPD Use Only)



**CUYAHOGA COUNTY
 TABULATION OF PROPOSALS RECEIVED**

DEPARTMENT NAME: Job & Family Services

PROPOSAL DUE DATE: January 15, 2016

Number of Proposals Sent/Returned: _____

RFP TITLE: Summer Youth Employment Program

RFP #: 35911 **SBE:** 0%

TO BE COMPLETED BY OPD	TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER						USER DEPT.
	IG / ETHICS REGISTRATION COMPLETE	SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS	
Ohio Guidestone 434 Eastland Rd. Berea, Ohio 44017	IG#-12-0616 NC-OK MVCP-OK CPVF-OK, Yes						N
VERGE Inc - LNE 2450 Prospect Avenue Cleveland, Ohio 44115	IG#-not registered NC-OK MVCP-OK CPVF-OK, No						N
Youth Opportunities Unlimited 1361 Euclid Avenue Cleveland, Ohio 44115	IG#-12-3706 NC-OK MVCP-OK CPVF-OK, Yes						Y

RKJ
 Department Director Name


RKJ / 3/25/16
 Department Director Signature of Approval Date



Principal Owner Form

(Required Document for Award Recommendations/Purchases/Contracts)

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


Company Name (Legal name of the business):	Youth Opportunities Unlimited
Principal Owner's Name (The legal name of the owner(s) of the business):	Carol Rivchun
Owner/Officer's Title:	Executive Director
Business Address:	1361 Euclid Ave. Cleveland, OH 44115
Phone Number:	216.566.5445
Name of Person Completing Form:	J. Schaefer
Signature:	
Title:	Contract Specialist, Contracting Division WFS/CJFS

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

CUYAHOGA COUNTY STAFF:

I certify that I have checked the Debarment/Suspension lists on the Cuyahoga County Inspector General's (IG) website and the Debarment/Suspension lists did not contain the above detailed vendor and/or principal owner.

(Form is to be dated within 60 days from the Department approval (NOVUS and/or BuySpeed) for the current purchase.)

Signature:  _____ Date: 3/24/2016

Printed Name: J.Schaefer _____ IG Number: 12-3706

CONTRACT EVALUATION FORM

(To be completed by user department for all contract renewals or amendments.)

Contractor: Youth Opportunities Unlimited

Contract No. : CE-1500121 -01

Time Period: May 1, 2015 – October 31, 2015

Original Contract Amount: \$4,586,119.00

Amended Amount: (1) \$913,688.00

Amended Time Period: 5/1/2015 – 10/31/2015

(2) \$ 50,000.00

5/1/2015 – 10/31/2015

Program Description

TANF Summer Youth Employment Program operated from May 1, 2015 to October 31, 2015 serving low-income, TANF-eligible youth between the ages of 14 and 24. The program provided a quality, paid work experience to eligible youth in order to provide participants with an employment history, practical work experience, job skills and knowledge of the workplace. Y.O.U. served approximately 2,861 younger youth and 27 older youth. Younger youth worked 25 hours per week for six weeks and were paid \$8.10/hour; older youth worked 30 hours per week for thirteen weeks and were paid \$10.00/hour. The program was located at hundreds of locations throughout the County that served as worksites. The Y.O.U. summer jobs program staff was primarily housed at 558 Terminal Tower, 50 Public Square, Cleveland, OH 44113.

Target Population

Youth from families that meet TANF eligibility requirements were targeted. Minimum Requirements for program participants:

- Must reside in Cuyahoga County
- Must meet all TANF eligibility requirements
- Completion of TANF application (for younger youth application completed by parent)

In addition to the general target population, Y.O.U. specifically targeted certain groups to ensure they were represented in the summer jobs program. These groups included:

- Students ages 18-24, in receipt of OWF cash assistance
- Hispanic Youth
- Youth in Foster Care
- Youth with Disabilities
- Other vulnerable youth

Performance Outcomes

TANF Older Youth (ages 19-24):

27 youth were placed at 18 job sites and worked an average of 490 hrs earning over \$132,330. 70% of the placed youth successfully completed the summer program and 2 youth obtained full-time unsubsidized employment. 81% achieved employment readiness based on post assessment scores and 50% showed improved job skills. Overall employer satisfaction with the program was 78%.

TANF Younger Youth (ages 14-18)

2834 youth were placed at 570 worksites with 191 employers and worked an average 134 hrs earning over \$3,094,800 in wages. 91% of the youth placed successfully completed the summer program and 120 youth obtained unsubsidized employment after the program. 79% achieved employment readiness based on post assessment scores and 53% improved job skills. Employer satisfaction with the program was 79%.

Rating of Overall Performance of Contractor (check one)

Exceeding Expectations

Meeting Expectations

Not Meeting Expectations

Justification of Rating

Youth Opportunities Unlimited provided a high quality TANF summer youth employment program registering over 13,620 youth and placing over 2,860 youth in summer employment with a 91% successful completion rate for the program. In addition Y.O.U. established 588 job sites with 207 employers for the program.

Cuyahoga Job and Family Services

3/18/2016

Using Department

Date

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0056

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's reappointment of various individuals to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2016 - 12/31/2018, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 173.011 provides for the designation of a private nonprofit entity as an "area agency on aging" to administer programs granted under the Older Americans Act of 1965; and

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

WHEREAS, the County Executive has nominated various individuals for reappointment to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2016 - 12/31/2018 as follows:

- 1) Constance Hill-Johnson
- 2) Sue Biagianti

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 County Executive's reappointment of various individuals to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2016 - 12/31/2018 as follows:

- 1) Constance Hill-Johnson
- 2) Sue Biagiatti

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: March 8, 2016

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

Committee Report/Second Reading: April 12, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0063

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing a First Amendment to Agreement of Sublease with Ohio Department of Rehabilitation and Correction and consented to by Ohio Public Facilities Commission pertaining to the financing of a portion of the cost of the Cuyahoga County Community-based Correctional Facility Project, by changing the aggregate amount of project costs to be paid for or reimbursed from the Adult Correctional Building Fund from \$10,800,000.00 to \$10,842,265.00; 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.
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WHEREAS, the County Executive/Department of Public Works has recommended a First Amendment to Agreement of Sublease with Ohio Department of Rehabilitation and Correction and consented to by Ohio Public Facilities Commission pertaining to the financing of a portion of the cost of the Cuyahoga County Community-based Correctional Facility Project, by changing the aggregate amount of project costs to be paid for or reimbursed from the Adult Correctional Building Fund from \$10,800,000.00 to \$10,842,265.00; and

WHEREAS, pursuant to Board of County Commissioners Resolution No. 083668 dated 8/21/2008, the County obtained funding in the amount of \$10,800,000.00 for the construction of an adult correctional facility known as the Nancy R. McDonnell Community Based Correctional Center (the "Center"), located at 3540 Croton Avenue, Cleveland; and

WHEREAS, it was necessary for the County to enter into a certain sublease agreement (the "Sublease") with the Ohio Department of Rehabilitation and Correction in order to receive such funding; and

WHEREAS, the County applied for and was awarded additional funding in the amount of \$42,265.00 for building repairs to the Center and it is necessary to execute an amendment to the Sublease in order to draw down the funds; and

WHEREAS, the primary goal of this project is to complete infrastructure upgrades to the Nancy R. McDonnell Community Based Corrections Facility (CBCF), located at 3540 Croton Avenue, Cleveland; 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 First Amendment to Agreement of Sublease with Ohio Department of Rehabilitation and Correction and consented to by Ohio Public Facilities Commission pertaining to the financing of a portion of the cost of the Cuyahoga County Community-based Correctional Facility Project, by changing the aggregate amount of project costs to be paid for or reimbursed from the Adult Correctional Building Fund from \$10,800,000.00 to \$10,842,265.00.

SECTION 2. That the County Executive is authorized to execute the First Amendment to Agreement of Sublease and all other documents consistent with this Resolution.

SECTION 3. That the proper officers of the County, as appropriate, are each authorized and directed to execute and deliver any additional certificates, documents or instruments and to take such further actions which are necessary or appropriate to effect the intent and purposes of this Resolution and the First Amendment to Agreement of Sublease.

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: March 22, 2016
Committee(s) Assigned: Public Works, Procurement & Contracting

Committee Report/Second Reading: April 12, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0051

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's appointment of Thomas D. Pristow, upon his taking the oath of office, as Director of the Department of Health and Human Services; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article VIII, Section 8.01 of the Charter of Cuyahoga County provides for the establishment of a Department of Health and Human Services; and

WHEREAS, pursuant to Article VIII, Section 8.02 of the Charter, the Director of the Department of Health and Human Services shall be appointed by the County Executive, subject to confirmation by Council; and

WHEREAS, County Executive Armond Budish has nominated Thomas D. Pristow for appointment to the position of Director of the Department of Health and Human Services; and

WHEREAS, the Council conducted a confirmation hearing which was noticed to the public and held in an open meeting on March 22, 2016; and

WHEREAS, the Council elects to confirm the County Executive's appointment of Thomas D. Pristow to the position of Director of the Department of Health and Human Services; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of County government.

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

SECTION 1. That the Cuyahoga County Council hereby confirms the appointment of Thomas D. Pristow as Director of the Department of Health and Human Services upon his taking the oath office.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health,

or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective.

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

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee: March 8, 2016

Committee(s) Assigned: Committee of the Whole

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0052

Sponsored by: County Executive Budish Co-sponsored by: Councilmembers Conwell and Germana	A Resolution confirming the County Executive's appointment of various individuals to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children's Trust Fund representing the Great Lakes Region for an unexpired term ending 12/31/2017, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ohio Revised Code Section 3109.172, a board of county commissioners within a region may appoint up to two representatives to the Great Lakes Regional Prevention Council of the Ohio Children's Trust Fund to represent the county on overseeing its work; and

WHEREAS, pursuant to Ohio Administrative Code 5101:5-1, the Regional Prevention Council is charged with establishing standing workgroups; developing and completing needs assessments; and developing, approving and implementing a regional child abuse and child neglect prevention plan based on the Ohio Children's Trust Fund criteria, collecting data on the implementation of the plan and submitting a progress report and an annual report to the Ohio Children's Trust Fund; and

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

WHEREAS, County Executive Budish has nominated the following individuals to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children's Trust Fund representing the Great Lakes Region for an unexpired term ending 12/31/2017:

1. Councilmember Dale Miller
2. Robin Martin

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 County Executive's appointment of the following individuals to serve on the Child Abuse and Child Neglect Regional Prevention Council of the Ohio Children's Trust Fund representing the Great Lakes Region for an unexpired term ending 12/31/2017:

1. Councilmember Dale Miller
2. Robin Martin

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: March 8, 2016

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

Additional Sponsorship Requested: March 29, 2016

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0053

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's appointment of various individuals to serve on the Cuyahoga Arts and Culture Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ohio Revised Code Chapter 3381, a regional arts and cultural district was established in Cuyahoga County to provide programs and activities in areas directly concerned with the arts or cultural heritage; and

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

WHEREAS, pursuant to Ohio Revised Code Section 3381.05, the Board of Trustees shall be appointed to a three (3) year term; and

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

WHEREAS, County Executive Budish has nominated various individuals to serve on the Cuyahoga Arts and Culture Board of Trustees for various terms as follows:

1. Gwendolyn Garth for an unexpired term ending 3/31/2017.
2. Mark Avsec for the term 4/1/2016 - 3/31/2019.

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:

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive's appointment of various individuals to serve on the Cuyahoga Arts and Culture Board of Trustees for various terms as follows:

1. Gwendolyn Garth for an unexpired term ending 3/31/2017.
2. Mark Avsec for the term 4/1/2016 - 3/31/2019.

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: March 8, 2016
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal CC022
April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0054

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's reappointment or appointment of various individuals to serve on the Cuyahoga County Corrections Planning Board for various terms, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, Chapter 5149 of the Ohio Revised Code (ORC) provides for the organization of a community-based corrections program; and

WHEREAS, ORC 5149.34 provides for the creation of a County Corrections Planning Board and further provides for the composition of the board and the means by which appointments are made; and

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

WHEREAS, County Executive Budish has nominated various individuals to serve on the Cuyahoga County Corrections Planning Board for various terms as follows:

- i) Reappointments for the term 1/1/2016 - 12/31/2018:
 - a. The Honorable K. J. Montgomery
 - b. Arthur B. Hill
 - c. Paul Jurcisin
 - d. Russel R. Brown III

- ii) Appointment for an unexpired term ending 12/31/2018:
 - a. Dean Jenkins

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 County Executive's reappointment or appointment of various individuals to serve on the Cuyahoga County Corrections Planning Board for various terms as follows:

- i) Reappointments for the term 1/1/2016 - 12/31/2018:
 - a. The Honorable K. J. Montgomery
 - b. Arthur B. Hill
 - c. Paul Jurcisin
 - d. Russel R. Brown III

- ii) Appointments for an unexpired term ending 12/31/2018:
 - a. Dean Jenkins

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: March 8, 2016

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

Journal CC022

April 12, 2016

[PROPOSED SUBSTITUTE]

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0054

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s reappointment or appointment of various individuals to serve on the Cuyahoga County Corrections Planning Board for various terms, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, Chapter 5149 of the Ohio Revised Code (ORC) provides for the organization of a community-based corrections program; and

WHEREAS, ORC 5149.34 provides for the creation of a County Corrections Planning Board and further provides for the composition of the board and the means by which appointments are made; and

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

WHEREAS, County Executive Budish has nominated various individuals to serve on the Cuyahoga County Corrections Planning Board for various terms as follows:

- i) Reappointments for the term 1/1/2016 - 12/31/2018:
 - a. The Honorable K. J. Montgomery
 - b. Arthur B. Hill
 - ~~c. Paul Jurcisin~~
 - c. Russel R. Brown III

- ii) Appointment for an unexpired term ending 12/31/2018:
 - a. Dean Jenkins

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 County Executive's reappointment or appointment of various individuals to serve on the Cuyahoga County Corrections Planning Board for various terms as follows:

- i) Reappointments for the term 1/1/2016 - 12/31/2018:
 - a. The Honorable K. J. Montgomery
 - b. Arthur B. Hill
 - ~~e. Paul Jurcisin~~
 - c. Russel R. Brown III

- ii) Appointments for an unexpired term ending 12/31/2018:
 - a. Dean Jenkins

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: March 8, 2016

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

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0055

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's reappointment or appointment of various individuals to serve on the Tax Incentive Review Council for various terms, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, Ohio Revised Code Section 5709.85 calls for the creation of Tax Incentive Review Councils; and

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

WHEREAS, the County Executive has nominated various individuals to serve on the Tax Incentive Review Council for various terms as follows:

- (a) Reappointments for the term 1/1/2016 – 12/31/2016:
 - 1) Joseph Farris
 - 2) Marionette Richardson-Scott
 - 3) Joseph Micciulla

- (b) Appointment for an unexpired term ending 12/31/2016:
 - 1) Lisa Rocco

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 County Executive's reappointment or appointment of various individuals to serve on the Tax Incentive Review Council for various terms as follows:

(a) Reappointments for the term 1/1/2016 – 12/31/2016:

- 1) Joseph Farris
- 2) Marionette Richardson-Scott
- 3) Joseph Micciulla

(b) Appointment for an unexpired term ending 12/31/2016:

- 1) Lisa Rocco

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: March 8, 2016

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

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0064

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/2/2016 to establish a guaranteed maximum price in the amount not-to-exceed \$18,000,000.00; 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.
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WHEREAS, pursuant to Chapter 504 of the Cuyahoga County Code, the Department of Public Works issued a Request for Proposals (RQ35765) for Design-Build Services for the Huntington Park Garage Rehabilitation Project and received proposals from design builders for the project; and

WHEREAS, the County evaluated the qualifications and proposals of the design builders who responded to the RFP and Turner/Ozanne Joint Venture (“Design-Builder”) received the highest rankings; and

WHEREAS, the Cuyahoga County Board of Control awarded RQ35765 to the Design-Builder on December 7, 2015 in an amount not-to-exceed \$500,000.00; and

WHEREAS, it is expected and contemplated all along that the amount not-to-exceed will be increased to include pre-construction and construction services, a GMP, and a final reconciliation; and

WHEREAS, in Resolution No. R2015-0274 Council determined to increase the award of the initial contract (CE1500375-01) to the Design Builder for an amount not-to-exceed \$4,500,000.00; and

WHEREAS, it was contemplated all along that the GMP contract with Design-Builder shall be subject to County Council’s approval; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that the time-sensitive project can continue proceeding on schedule and 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. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/2/2016 to establish a guaranteed maximum price in the amount not-to-exceed \$18,000,000.00 and authorizes the County Executive to enter into said amendment. To the extent that any exemptions, if any, are necessary under the County Code and contracting procedures, they shall be deemed approved by the adoption of this Resolution. The final negotiated terms of the contract, including the maximum not-to-exceed amount and risk management protections, shall be subject to the approval of the Director of Law, but in no event shall the maximum amount exceed the herein authorized \$18,000,000.00.

SECTION 2. That the County Executive is authorized to execute a contract and all other documents, as approved to legal form and correctness, by the Director of Law, or his designee, in accordance 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: March 22, 2016

Committee(s) Assigned: Committee of the Whole

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0065

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p> <p>Co-sponsored by: Councilmembers Hairston and Conwell</p>	<p>A Resolution making an award on RQ35947 to The C. A. Agresta Construction Co. in the amount not-to-exceed \$1,188,333.50 for 2016 Operations Resurfacing Program – Group 1, located in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended making an award on RQ35947 to The C. A. Agresta Construction Co. in the amount not-to-exceed \$1,188,333.50 for 2016 Operations Resurfacing Program – Group 1, located in various municipalities, as follows:

- i. Eddy Road from St. Clair Avenue to Interstate 90 in the City of Cleveland (Council District 7);
- ii. East 152nd Street from Coit Avenue to Woodworth Avenue in the City of East Cleveland (Council District 10); and

WHEREAS, the project consists of resurfacing, associated repair of pavement, installation of ADA compliant curb ramps, and other spot improvements; and

WHEREAS, this project is funded 100% using funds from the Cuyahoga County Motor Vehicle \$7.50 License Tax Funds; and

WHEREAS, construction is scheduled to begin June 1, 2016 and scheduled to be substantially completed October 3, 2016; 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 RQ35947 to The C. A. Agresta Construction Co. in the amount not-to-exceed \$1,188,333.50 for 2016 Operations Resurfacing Program – Group 1, located in various municipalities, as follows:

- i. Eddy Road from St. Clair Avenue to Interstate 90 in the City of Cleveland (Council District 7);
- ii. East 152nd Street from Coit Avenue to Woodworth Avenue in the City of East Cleveland (Council District 10).

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

SECTION 3. That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract.

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: March 22, 2016
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: March 22, 2016

Additional Sponsorship Requested: March 30, 2016

Journal CC022
April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0066

Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer	A Resolution making an award on RQ36083 to Chagrin Valley Paving, Inc. in the amount not-to-exceed \$1,194,726.75 for 2016 Operations Resurfacing Program – Group 3, located in various municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended making an award on RQ36083 to Chagrin Valley Paving, Inc. in the amount not-to-exceed \$1,194,726.75 for 2016 Operations Resurfacing Program – Group 3, located in various municipalities, as follows:

- i. Emery Road from Warrensville Center Road to Northfield Road in the Village of North Randall;
- ii. Miles Road from Interstate 480 to North Randall East Corporation Line in the Village of North Randall;
- iii. Solon Road from Bedford Heights West Corporation Line to Bedford Heights East Corporation Line in the City of Bedford Heights; and

WHEREAS, the project (located in Council District 9) consists of resurfacing, associated repair of pavement, installation of ADA compliant curb ramps, and other spot improvements; and

WHEREAS, this project is funded 100% using funds from the Cuyahoga County Motor Vehicle \$7.50 License Tax Funds; and

WHEREAS, construction is scheduled to begin June 13, 2016 and scheduled to be substantially completed October 14, 2016; 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 RQ36083 to Chagrin Valley Paving, Inc. in the amount not-to-exceed \$1,194,726.75 for 2016 Operations Resurfacing Program – Group 3, located in various municipalities, as follows:

- i. Emery Road from Warrensville Center Road to Northfield Road in the Village of North Randall;
- ii. Miles Road from Interstate 480 to North Randall East Corporation Line in the Village of North Randall;
- iii. Solon Road from Bedford Heights West Corporation Line to Bedford Heights East Corporation Line in the City of Bedford Heights.

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

SECTION 3. That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract.

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: March 22, 2016

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

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0067

Sponsored by: County Executive Budish/Department of Human Resources	A Resolution making an award on RQ36387 to The James B. Oswald Company in the amount not-to-exceed \$803,634.00 for professional healthcare consultant services for the period 4/15/2016 - 4/14/2019; 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 Human Resources has recommended an award on RQ36387 to The James B. Oswald Company in the amount not-to-exceed \$803,634.00 for professional healthcare consultant services for the period 4/15/2016 - 4/14/2019; and

WHEREAS, the primary goal of this project is to provide professional healthcare consultant services; and

WHEREAS, this project is funded 100% by the Hospitalization Regular Insurance 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 RQ36387 to The James B. Oswald Company in the amount not-to-exceed \$803,634.00 for professional healthcare consultant services for the period 4/15/2016 - 4/14/2019.

SECTION 2. That the County Executive is authorized to execute the contract and all other documents consistent with said award and 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,

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0068

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p> <p>Co-sponsored by: Councilmember Hairston</p>	<p>A Resolution authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2016 - 12/31/2017; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2016 - 12/31/2017; and

WHEREAS, the primary goals of this project are to: (a) improve maternal and infant health, (b) connect families to other community resources that provide support to families, (c) enhance parenting skills, and (d) link families to a medical home; and

WHEREAS, the funding for this project is 100% from 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 an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for the Invest in Children Program for the period 1/1/2016 - 12/31/2017.

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; 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: March 22, 2016

Committee(s) Assigned: Education, Environment & Sustainability

Additional Sponsorship Requested on the Floor: March 22, 2016

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0069

Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services	A Resolution making awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 3/1/2016 - 12/31/2018; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Children and Family Services has recommended making awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 3/1/2016 - 12/31/2018; and

WHEREAS, the primary services of Cuyahoga Tapestry System of Care include (a) intensive care coordination, family advocacy and flexible wraparound support and (b) tapestry evaluation, fidelity monitoring, data collection and coaching support; and

WHEREAS, this program is funded by two sources: Title IV-E Administration and Training and Health and Human Services Levy; and

WHEREAS, the services, service providers and amounts are as follows:

- 1) for community wraparound care coordination and family/youth advocacy and support services:
 - a. Applewood Centers, Inc. in the approximate amount of \$600,490.44.
 - b. Beech Brook in the approximate amount of \$1,389,705.42.
 - c. Bellfaire Jewish Children's Bureau in the approximate amount of \$343,137.72.
 - d. Catholic Charities Corporation (Parmadale) in the approximate amount of \$171,569.25.
 - e. OhioGuidestone in the approximate amount of \$2,230,390.95.
 - f. Pressley Ridge in the approximate amount of \$514,706.22.
- 2) for evaluation, fidelity and monitoring services:

- a. Case Western Reserve University in the approximate amount of \$450,000.00.

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 awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 3/1/2016 - 12/31/2018 as follows:

- 1) for community wraparound care coordination and family/youth advocacy and support services:
 - a. Applewood Centers, Inc. in the approximate amount of \$600,490.44.
 - b. Beech Brook in the approximate amount of \$1,389,705.42.
 - c. Bellfaire Jewish Children’s Bureau in the approximate amount of \$343,137.72.
 - d. Catholic Charities Corporation (Parmadale) in the approximate amount of \$171,569.25.
 - e. OhioGuidestone in the approximate amount of \$2,230,390.95.
 - f. Pressley Ridge in the approximate amount of \$514,706.22.
- 2) for evaluation, fidelity and monitoring services:
 - a. Case Western Reserve University in the approximate amount of \$450,000.00.

SECTION 2. That the County Executive is authorized to execute the master contract in connection with said awards 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; 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

[PROPOSED SUBSTITUTE]

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0069

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services</p>	<p>A Resolution making awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 3/1/2016 - 12/31/2018; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Children and Family Services has recommended making awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 3/1/2016 - 12/31/2018; and

WHEREAS, the primary services of Cuyahoga Tapestry System of Care include (a) intensive care coordination, family advocacy and flexible wraparound support and (b) tapestry evaluation, fidelity monitoring, data collection and coaching support; and

WHEREAS, this program is funded by two sources: Title IV-E Administration and Training and Health and Human Services Levy; and

WHEREAS, the services, service providers and amounts are as follows:

- 1) for community wraparound care coordination and family/youth advocacy and support services:
 - a. Applewood Centers, Inc. in the approximate amount of \$600,490.44.
 - b. Beech Brook in the approximate amount of \$1,389,705.42.
 - c. Bellfaire Jewish Children’s Bureau in the approximate amount of \$343,137.72.
 - d. Catholic Charities Corporation (Parmadale) in the approximate amount of ~~\$171,569.25~~ 2,230,390.95.
 - e. OhioGuidestone in the approximate amount of ~~\$2,230,390.95~~ 514,706.22.
 - f. Pressley Ridge in the approximate amount of ~~\$514,706.22~~ 171,569.25.

- 2) for evaluation, fidelity and monitoring services:
 - a. Case Western Reserve University in the approximate amount of \$450,000.00.

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 awards on RQ36215 to various providers, in the total amount not-to-exceed \$5,700,000.00, for various services for Cuyahoga Tapestry System of Care for the period 3/1/2016 - 12/31/2018 as follows:

- 1) for community wraparound care coordination and family/youth advocacy and support services:
 - a. Applewood Centers, Inc. in the approximate amount of \$600,490.44.
 - b. Beech Brook in the approximate amount of \$1,389,705.42.
 - c. Bellfaire Jewish Children's Bureau in the approximate amount of \$343,137.72.
 - d. Catholic Charities Corporation (Parmadale) in the approximate amount of ~~\$171,569.25~~ 2,230,390.95.
 - e. OhioGuidestone in the approximate amount of ~~\$2,230,390.95~~ 514,706.22.
 - f. Pressley Ridge in the approximate amount of ~~\$514,706.22~~ 171,569.25.
- 2) for evaluation, fidelity and monitoring services:
 - a. Case Western Reserve University in the approximate amount of \$450,000.00.

SECTION 2. That the County Executive is authorized to execute the master contract in connection with said awards 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; 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: March 22, 2016
Committee(s) Assigned: Health, Human Services & Aging

Journal CC022
April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0070

Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services	A Resolution authorizing an agreement with Cuyahoga County Prosecutor's Office in the amount not-to-exceed \$2,348,203.00 for legal services for the period 1/1/2016 - 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 Health and Human Services/Division of Children and Family Services has recommended an agreement with Cuyahoga County Prosecutor's Office in the amount not-to-exceed \$2,348,203.00 for legal services for the period 1/1/2016 - 12/31/2016; and

WHEREAS, the agreement is for legal services as defined in Chapter 309 of the Ohio Revised Code in matters related to the adjudication and disposition of children within the jurisdiction of Chapter 2151 of the Ohio Revised Code, and to perform such other duties that may be required of it by operation of Title IV-E; and

WHEREAS, the funding for this project is 100% from the Health and Human Services 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 agreement with Cuyahoga County Prosecutor's Office in the amount not-to-exceed \$2,348,203.00 for legal services for the period 1/1/2016 - 12/31/2016.

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; 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: March 22, 2016
Committee(s) Assigned: Health, Human Services & Aging

Journal CC022
April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0071

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services</p> <p>Co-sponsored by: Councilmember Hairston</p>	<p>A Resolution authorizing a revenue generating Cooperative Partnership Agreement with Cuyahoga County Board of Developmental Disabilities in the amount not-to-exceed \$1,350,000.00 for eligibility evaluation and supportive services for the period 1/1/2016 - 12/31/2018; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Children and Family Services recommends approval of a revenue generating Cooperative Partnership Agreement with Cuyahoga County Board of Developmental Disabilities in the amount not-to-exceed \$1,350,000.00 for eligibility evaluation and supportive services for the period 1/1/2016 - 12/31/2018; and

WHEREAS, pursuant to 5153.16 of the Ohio Revised Code, the County, through its Division of Children and Family Services, is vested with the responsibility to provide services to children with developmental disabilities up to 21 years of age who are abused, neglected or dependent, unruly or delinquent who have been identified to have a protected service need or are otherwise in its custody; and

WHEREAS, the goal of this agreement is to provide evaluation and supportive services (the "Supportive Services") to children with developmental disabilities up to 21 years of age who are abused, neglected or dependent, unruly or delinquent who have been identified to have a protected service need or are otherwise in the custody of the County; and

WHEREAS, pursuant to the agreement, the CCBDD will provide reimbursement to the County for the Services in the amount of \$450,000.00 per year, for a total of three years; 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.

Clerk of Council

Date

First Reading/Referred to Committee: March 22, 2016
Committee Assigned: Health, Human Services & Aging

Additional Sponsorship Requested on the Floor: March 22, 2016

Journal CC022
April 12, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0072

<p>Sponsored by: County Executive Budish on behalf of Cuyahoga County Prosecutor</p>	<p>A Resolution authorizing a contract with Pointe Blank Solutions Ltd. in the amount not-to-exceed \$3,000,000.00 for software, maintenance, monitoring and support services for the Justice Matters and DocuPointe Case and Document Management Systems for the period 2/29/2016 - 2/28/2021; 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 Cuyahoga County Prosecutor has recommended a sole source contract with Pointe Blank Solutions Ltd. in the amount not-to-exceed \$3,000,000.00 for software, maintenance, monitoring and support services for the Justice Matters and DocuPointe Case and Document Management Systems for the period 2/29/2016 - 2/28/2021; and

WHEREAS, the primary goal of this project is to receive continued ongoing maintenance, monitoring, support, consultation, training, development and implementation of a customized case management system/software; and

WHEREAS, the funding for this project is 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 Pointe Blank Solutions Ltd. in the amount not-to-exceed \$3,000,000.00 for software, maintenance, monitoring and support services for the Justice Matters and DocuPointe Case and Document Management Systems for the period 2/29/2016 - 2/28/2021.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0073

Sponsored by: County Executive Budish on behalf of Court of Appeals of Ohio, Eighth Appellate District	A Resolution authorizing a contract with InfoPro Computer Solutions in the amount not-to-exceed \$510,000.00 for information technology services for the Buckeye Case Management and Computer Network Systems for the period 4/1/2016 - 3/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive on behalf of Court of Appeals of Ohio, Eighth Appellate District has recommended a sole source contract with InfoPro Computer Solutions in the amount not-to-exceed \$510,000.00 for information technology services for the Buckeye Case Management and Computer Network Systems for the period 4/1/2016 - 3/31/2019; and

WHEREAS, the primary goals of this project are to provide information technology services for the maintenance of the Court's automated case management system ("Buckeye") and to provide maintenance services to the computer network and its hardware and software; and

WHEREAS, the funding for this project is 100% from 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 InfoPro Computer Solutions in the amount not-to-exceed \$510,000.00 for information technology services for the Buckeye Case Management and Computer Network Systems for the period 4/1/2016 - 3/31/2019.

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; 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: March 22, 2016

Committee(s) Assigned: Finance & Budgeting

Journal CC022

April 12, 2016

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0004

Sponsored by: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller	An Ordinance enacting Section 503.08 of the Cuyahoga County Code to expand the Small Business Enterprise Program to Allow Small Business Set Asides, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article VII, Section 701 of the Cuyahoga County Charter mandates that the County “shall develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County so as to create and preserve jobs and employment opportunities for and available to residents of the County”; and

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

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

SECTION 1. Section 503.08 of the Cuyahoga County Code is hereby enacted to read as follows:

Section 503.08 Small Business Set Asides

- A. “Set Asides for Small Business Enterprises” are defined as the reserving of some or all of a Request for Bid, Request for Proposal, Request for Qualifications or contract exclusively for participation by Small Business Enterprises as determined by the Cuyahoga County Office of Procurement and Diversity.
- B. The Small Business Enterprise Program set forth in Cuyahoga County Code Section 503.01 is hereby expanded to allow Requests for Bids, Requests for Proposals, Requests for Qualifications, and contracts to contain Set Asides for Small Business Enterprises exclusively for participation by Small Business Enterprises.
- C. The Cuyahoga County Office of Procurement and Diversity may prepare and/or amend forms to carry out the actions described herein. The forms shall be similar to those that other governments, like the State and City of Cleveland, already have in place in an effort to make it simple and easy and encourage greater participation from SBEs.

- D. The Director of the Cuyahoga County Office of Procurement and Diversity or designee reserves the right and discretion to reject any bid or proposal for any reason or all bids or proposals for no reason at all without incurring any liability.
- E. Within 90 days of the effective date of this provision, the Cuyahoga County Office of Procurement and Diversity shall, in collaboration with the Department of Public Works, develop written parameters the County will use to identify contracts or services eligible to be set aside for small business enterprises and shall submit such written parameters to Council. On or before April 1 of each year starting in 2017, the Cuyahoga County Office of Procurement and Diversity shall issue a report to Council outlining the status of the Small Business Enterprises Program, including the overall impact the program has had on correcting the disparities identified in the 2015 Cuyahoga County Disparity Study.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 9, 2016

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

Committee Report/Second Reading: April 12, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0005

Sponsored by: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller	An Ordinance enacting Sections 503.02 to 503.07 of the Cuyahoga County Code to expand the Small Business Enterprise Program, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article VII, Section 701 of the Cuyahoga County Charter mandates that the County “shall develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County so as to create and preserve jobs and employment opportunities for and available to residents of the County”; and

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

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

SECTION 1. Section 503.02 of the Cuyahoga County Code is hereby enacted to read as follows:

Section 503.02

The Small Business Enterprise Program is hereby expanded to allow the Cuyahoga County Office of Procurement and Diversity (“OPD”) to set aspirational Minority Business Enterprise and /or Women Business Enterprise subcontractor participation goals for every Request for Bid, Request for Proposal, and Request for Qualifications issue by the County based upon available information including, but not limited to, the disparity study.

“Minority Business Enterprise” or “MBE” means an individual, domestic corporation, sole proprietorship, partnership, joint venture, entity or company that is at least 51% owned by one or more individuals who are African American, Hispanic American, Native American, Asian-Pacific American or Asian-Indian American; and whose management and daily business operations are controlled by one or more of these owners as determined by OPD.

“Women Business Enterprise” or “WBE” means an individual, domestic corporation, sole proprietorship, partnership, joint venture, entity or company that is at least 51% owned by one or more women and whose management and daily business operations are controlled by one or more of these owners as determined by OPD.

Section 503.03

In consideration of the right and privilege to submit a bid or proposal on construction projects and other contracts with Cuyahoga County, at the time of submitting a proposal or bid, each participant shall be required to present appropriate documentation. The documents described below must be completed and signed by each Participant before a proposal or bid can be considered responsive:

- (1) Covenant of Non-Discrimination: Each Participant must submit a duly executed and attested Covenant of Non-Discrimination (MBE/WBE-1) on a form prescribed by OPD. This written instrument shall contain promises, declarations and/or affirmations made by the Participant. The completed document must contain an original signature and date of signature.
- (2) MBE/WBE Subcontractor Participation Plan: Each Participant must submit a duly executed, affirmed, and certified Subcontractor Participation Plan (MBE/WBE-2) on a form prescribed by OPD for each MBE/WBE subcontractor proposed. Copies and/or facsimiles of MBE/WBE-2 submitted with bids/proposals are acceptable BUT all required signatures must be dated as indicated. Also, please note the following:
 - (a) Certified MBE/WBEs who are bidding as prime contractors **MUST** complete and submit the top portion of Form MBE/WBE-2 to guarantee MBE/WBE credit.
 - (b) MBE/WBEs with multiple geographical locations shall enter the Cuyahoga County address and contact information on Form MBE/WBE-2.
 - (c) Prime vendors are **PROHIBITED** from using MBE/WBE(s) with whom the prime vendor has a familial relationship, joint or co-ownership, common partners, officers, or a shareholder relationship to meet the MBE/WBE Participation Goal. Hence, on Cuyahoga County projects/contracts, any portion of work subcontracted to a MBE/WBE vendor by a prime vendor that meets the above-mentioned criteria will **NOT** count towards the achievement of the established MBE/WBE Participation Goal.

Use of 2nd Tier Subcontractors: In the event that a subcontractor portions out work and utilizes the services of a sub-subcontractor or vendor, the prime contractor shall be required to report this use to OPD. For reporting purposes, the prime

contractor shall report statistical data for the sub-subcontractor or sub-vendor, including race, gender, business size, area of specialization, dollar value, description of services or products purchased, and contact information. No MBE/WBE subcontractor will be permitted to subcontract more than 25% of their subcontract work (based on dollar value) without prior approval by OPD.

Other Information and Data: OPD may request additional information and data prior to a contract award. This information may include, but is not limited to, information regarding business ownership of all subcontractors to be utilized on the project, all of which shall reflect the race, gender, location, size, and area of specialization and structure of the identified businesses.

Aggressive “Good Faith Efforts” to include MBE/WBEs in the procurement process are required of all Participants. These Good Faith Efforts should be in addition to the Participant’s regular and customary solicitation process of contact with potential subcontractors and/or vendors.

Written Notice to MBE/WBEs: To demonstrate good faith efforts, a Participant shall deliver written or electronic notice to potential, MBE/WBEs. MBE/WBEs should be contacted not less than one (1) week before the bid or proposal due date. Names, addresses, and telephone numbers for available MBE/WBEs may be obtained by contacting OPD or reviewing the database on the website at <http://opd.cuyahogacounty.us/>.

The written or electronic notice sent to potential subcontractors or vendors shall contain the following:

- (1) Sufficient information about the plans, specifications, and relevant terms and conditions of the solicitation. This should include information about the work which will be subcontracted or the goods which will be obtained from subcontractors and suppliers;
- (2) A contact person knowledgeable of the project scope documents, within the Participant’s office, to answer questions about the conditions of the contract;
- (3) Information as to the Participant’s bonding requirements; and
- (4) The deadline for price quotations.

Evaluation of Good Faith Efforts: In evaluating good faith efforts, OPD will determine whether the Participant has made reasonable good faith efforts to obtain MBE/WBE participation as part of its bid or proposal. OPD may evaluate not only the different kinds of efforts made by a Participant, but also the quantity and intensity of those efforts. One method of evaluation will be whether the MBE/WBE goal has been met. Prime Contractors and any Participant herein shall be required to affirm and certify that information is correct in their

bid/proposal and that they will meet or exceed the MBE/WBE Subcontractor Plan submitted with their bid/proposal. Prime Contractors also shall be required to report statistical data for its employees and proposed subcontractors that include race, gender, business size, area of specialization, dollar value, description of services or products purchased and contact information. Such information shall be certified and affirmed by the Prime Contractor when it submits the bid/proposal.

OPD will consider a completed Good Faith Effort Certification (MBE/WBE-3) as evidence of a Participant's good faith in trying to obtain MBE/WBE participation in a bid or proposal.

Required Documentation: To demonstrate good faith efforts, Participants shall keep detailed records of all correspondence and responses thereto, logs of all telephone calls made and received regarding the project or contract, confirmation receipts for fax transmissions, receipts from registered or certified mail, copies of advertisements in publications and other media, and other relevant papers required by this Program.

Good Faith Effort Certification: Participant must submit a completed Good Faith Certification (MBE/WBE-3) ONLY if the MBE/WBE Participation Goal is not met. In the MBE/WBE-3 form, Participant must certify that it interviewed and seriously considered MBE/WBEs and provide supporting documentation of that fact. Additional documentation demonstrating a good faith effort must accompany this document. The completed document must contain an original signature, notarizations, and date of signature.

Award of Contract: Proposals/ bids may be rejected and projects re-submitted for the sole purpose of attaining goals where inadequate "good faith effort" has been demonstrated. Cuyahoga County reserves the right to determine the action to be taken on the contract if a goal is not met, including rejecting any or all bids or proposals. If an awarded contract is later amended for additional dollars, MBE/WBE subcontractor participation should still reflect the percentage of dollars originally contracted for.

When evaluating a bid to determine the lowest and best bid, the County may consider, in addition to all of the other factors, whether a bid is MBE/WBE compliant; provided, however, that such MBE/WBE compliance shall not be considered if the difference between the MBE/WBE-compliant bid and the lowest responsive bid is more than the price preference specified below.

Lowest Bid Received Range (\$)	Price Preference (%) & Limit	Price Preference (\$)
0 – 500,000	10%	0 – 50,000
500,001 – 1,000,000	10% up to max \$80,000 (10-8)	50,000 – 80,000
1,000,001 – 3,000,000	8% up to max \$210,000 (8-7)	80,000 – 210,000
3,000,001 – 5,000,000	7% up to max \$250,000 (7-5)	210,000 – 250,000
>5,000,000	\$250,000 maximum (≤ 5)	250,000 maximum

Section 503.04

All participants are subject to the Monitoring and Post-Award Reporting, Grievance Process, Sanctions and Penalties for Non-Compliance provisions of Cuyahoga County Code Section 503.01.

Section 503.05

Exclusions: This policy shall not apply to the following:

- (1) “Sole Source” procurements under the Cuyahoga County ordinances which by their very nature limit the source of supply to one vendor.
- (2) County purchases from political subdivisions/government entities;
- (3) County purchases off state contracts, off federal contracts, and from joint purchasing programs.
- (4) The acquisition of any interest in real property including lease holdings.
- (5) Direct and indirect employee payments including payroll expenditures, pensions and unemployment compensation and other employee-related expenditures;
- (6) Any other categories and subcategories of goods and services Cuyahoga County may from time to time establish as excluded contracts upon recommendation of the Director of the Office of Procurement & Diversity and approval by the Cuyahoga County Executive and Cuyahoga County Council.

Application for Waiver. If the Contractor, consultant, supplier or vendor does not meet the project goal, the bidder or offer or may seek a partial or total waiver of the project goal. The application for waiver of all or part of the project goal shall include full documentary evidence of the Participant’s good faith efforts to meet the project goal and why the request for waiver should be granted. The application shall be notarized and submitted as a part of the bid or offer. Additional explanation, affidavits, exhibits or other materials may be required by the MBE/WBE Program to substantiate good faith efforts. Waivers may also be granted by OPD for an acceptable explanation as to why the goals should be waived.

Waiver for Detriment to Public Health, Safety or Financial Welfare. The MBE/WBE goal may be waived if the same causes a detriment to public health, safety or the

financial welfare of the County. The MBE/WBE may also be waived by OPD in the event available MBE/WBEs provide price quotes which are unreasonably high in that they exceed competitive levels beyond amounts which can be attributed to cost, overhead and profit.

Section 503.06

OPD may prepare and/or amend forms to carry out the actions described herein. The forms shall be similar or the same as those that other governments, like the State and City of Cleveland, already have in place in an effort to make it simple and easy and encourage greater participation.

Section 503.07

The Director of the Cuyahoga County Office of Procurement and Diversity or designee reserves the right and discretion to reject any bid or proposal for any reason or all bids or proposals for no reason at all without incurring any liability.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 9, 2016

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

Committee Report/Second Reading: April 12, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0006

Sponsored by: County Executive Budish/Department of Law and Councilmembers Brady, Brown, Conwell, Hairston and Jones Co-sponsored by: Councilmember Miller	An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's Risk Management procedures and performance bond and insurance requirements, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, the Department of Law's Risk Management Division has been working on developing risk management practices, including performance bond requirements, to simultaneously promote the County's interest in contracting with small businesses and protect the County against risk; and

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

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

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

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

Chapter 507: Risk Management Procedures

The Law Department, through its Risk Management Division, in coordination with the Office of Procurement and Diversity, shall determine the appropriate risk management protections for county contracts, including but not limited to, all insurance and performance bond requirements. All such risk management protections shall be subject to the review and approval of the contract approval authority that has jurisdiction over the award of the contract. Unless otherwise provided in the Cuyahoga County Code, insurance and bonding requirements shall be determined as set forth in Chapter 508 of the Cuyahoga County Code.

Section 507.01: Small Business Considerations

In formulating the appropriate risk management protections applicable to County contracts, the Law Department, through its Risk Management Division, shall give deference to the County's interest in contracting with small businesses without causing undue risk to the County or the small businesses. The County shall establish a process to pre-qualify contractors and vendors that are certified Small Business Enterprises and Cuyahoga County Based Businesses for Performance Bond Waivers under Section 508.02 of the Cuyahoga County Code. For the purposes of this Section, "Cuyahoga County Based Business" shall have the same meaning as in Section 502.02 of this Code.

Chapter 508: County's Performance Bond and Insurance Requirements

Section 508.01: Performance Bond Requirements

Notwithstanding any provisions in the Ohio Revised Code, Ohio Administrative Code, or any other law or regulation to the contrary, the County hereby asserts its home rule powers to determine bonding requirements in formulating the appropriate risk management measures for County contracts.

Section 508.02: When Performance Bonds Are Not Required

(A) Performance Bond Waivers on Construction Contracts

Unless otherwise prohibited by federal, state or local law, or as a condition of funding or unless otherwise provided in the Cuyahoga County Code, Performance and Payment Bond requirements for construction contracts in the amount of \$250,000.00 or less may be waived for contractors or vendors who pre-qualify. This waiver does not include projects that include federal funding.

(B) Performance Bond Waivers for Construction Contracts with Federal Funds

Unless otherwise prohibited by federal, state or local law, or as a condition of funding, Performance and Payment Bond requirements for construction contracts in the amount of \$150,000.00 or less which involve federal funds may be waived for contractors and vendors who pre-qualify.

(C) Performance Bond Waivers for Non-construction Projects

Performance and Payment Bond requirements for non-construction contracts may be waived at the discretion of the Law Department, through its Risk Management Division, as set forth herein.

(D) Reserve Coverage for Performance Bond Waivers

The County shall reserve or budget such funds as are necessary to mitigate the potential costs of non-performance and/or non-payment on contracts on which performance or payment bonds are waived pursuant to this Section. The amount reserved or budgeted for this purpose shall be determined annually by the Law Department, through its Risk Management Division, and shall be submitted to Council through the budget process.

(E) For contracts competitively procured under this Title, the Law Department, through its Risk Management Division, in coordination with Public Works shall identify individual contracts for which Performance and Payment Bond requirements may be waived for pre-qualified contractors prior to the issuance of the Request for Bids, Request for Proposals, or other competitive solicitation. The Request for Bids, Request for Proposals, or other competitive solicitation shall include a notice to bidders that the Performance and Payment Bond requirements may be waived for pre-qualified respondents, and shall further request that respondents provide a cost estimate of obtaining any required Performance and/or Payment bonds for the contract. The cost estimates provided by respondents shall be excluded from the county's evaluation or scoring criteria.

Section 508.03: County's Insurance Requirements

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

Notwithstanding any provisions in the Ohio Revised Code, Ohio Administrative Code, or any other law or regulation to the contrary, the County shall have the discretion to determine the appropriate insurance requirements, as well as the amount of the insurance coverages, on a contract-by-contract basis, including all construction contracts, in formulating the appropriate risk management measures for county contracts.

Section 508.04: Updates to County's Insurance Requirements

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

SECTION 2. Section 207.03 is hereby enacted to read as follows:

Section 207.03 Diversity and Inclusion Advisory Committee

(A) There is hereby established a Cuyahoga County Diversity and Inclusion Advisory Committee to provide advice and recommendations regarding

Cuyahoga County's diversity and inclusion programs and initiatives, including but not limited to the policies codified in Chapters 503, 508, and 509 of the Cuyahoga County Code, as these chapters exist now or hereafter amended. The committee shall submit its advice and recommendation to the Director of the Office of Procurement and Diversity. The committee shall consist of the following members:

- (1) One representative appointed by the County Executive;
- (2) One representative from County Council appointed by the President of Council;
- (3) One representative appointed by the Executive Director of the Cleveland Building and Construction Trade Council;
- (4) One representative appointed by the Executive Director of the Construction Employers Association or its delegate; and
- (5) One representative jointly appointed by the County Executive and the President of Council who is not affiliated with the Cleveland Building and Construction Trade Council or the Construction Employers Association or its delegate.

(B) The Diversity and Inclusion Advisory Committee shall elect its own chairperson and shall hold regular meetings at least once per quarter. The committee may establish one or more advisory subcommittees.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 9, 2016

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

Additional Sponsorship Requested: April 6, 2016

Committee Report/Second Reading: April 12, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0007

Sponsored by: County Executive Budish/Office of Procurement and Diversity and Councilmembers Brady, Brown, Conwell, Hairston, Jones and Miller	An Ordinance enacting Chapter 510 of the Cuyahoga County Code to establish the Cuyahoga County Business Economic Inclusion Program, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article VII, Section 701 of the Cuyahoga County Charter mandates that the County “shall develop and implement policies, programs and activities for the expansion and enhancement of economic activity in the County so as to create and preserve jobs and employment opportunities for and available to residents of the County”; and

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

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

SECTION 1. Chapter 510 of the Cuyahoga County Code is hereby enacted to read as follows:

Chapter 510: Cuyahoga County Business Economic Inclusion Program

Section 510.01

There is hereby created a Cuyahoga County Business Economic Inclusion Program.

Section 510.02

For the purposes of Chapter 510 of the Cuyahoga County Code:

“Minority Business Enterprise” means an individual, domestic corporation, sole proprietorship, partnership, joint venture, entity or company that is at least 51% owned by one or more individuals who are African American, Hispanic American, Native American, Asian-Pacific American or Asian-Indian American; and whose management and daily business operations are controlled by one or more of these owners as determined by the Cuyahoga County Office of Procurement and Diversity.

“Women Business Enterprise” means an individual, domestic corporation, sole proprietorship, partnership, joint venture, entity or company that is at least 51% owned by one or more women and whose management and daily business operations are controlled by one or more of these owners as determined by the Cuyahoga County Office of Procurement and Diversity.

“Inclusive Business” means:

- A. An individual, domestic corporation, sole proprietorship, partnership, joint venture, entity or company that demonstrated a commitment to utilizing Minority Business Enterprises and/or Women Business Enterprises as subcontractors on three projects within the past two years as determined by the Cuyahoga County Office of Procurement and Diversity; or
- B. An individual, domestic corporation, sole proprietorship, partnership, joint venture, entity or company that demonstrated that it hired and employed a diverse workforce based on payroll records within the past two years as determined by the Cuyahoga County Office of Procurement and Diversity.

Section 510.03

Unless otherwise prohibited by state, federal or local law, or condition of said funding, when the County has solicited bids and is determining the lowest price or the lowest evaluated price for purposes of awarding a purchase, agreement or a contract, and the lowest price or lowest evaluated price is submitted by a non-Inclusive Business, an Inclusive Business whose bid is within two (2) percent of the lowest bid submitted by a non-Inclusive Business shall be given the option to match the lowest bid. The option to match shall remain open for five (5) business days. If there is more than one bid from an Inclusive Business within the two (2) percent, the opportunity to match shall go to the lower priced bid by the Inclusive Business. If there is more than one bid from an Inclusive Business within the two (2) percent that are equal in price, the County shall allow all bidders to provide a new bid price within two (2) business days, and the evaluation will proceed based on the new pricing.

Section 510.04

- A. The Office of Procurement and Diversity is directed to create a Cuyahoga County Business Economic Inclusion Program form, which shall be submitted by any entity desiring to participate in the Cuyahoga County Business Economic Inclusion Program. Where appropriate and applicable, the form shall be the same or similar to those that other governments, like the State and City of Cleveland, already have in place in an effort to make it simple and easy and to encourage greater participation.
- B. An entity desiring to participate in the Cuyahoga County Business Economic Inclusion Program must submit, with and at the time of the bid, proposal or

qualifications, a completed, signed and notarized Cuyahoga County Business Economic Inclusion Program form.

Section 510.05

The Director of the Office of Procurement and Diversity or designee is hereby authorized to investigate and verify any information submitted with the Cuyahoga County Business Economic Inclusion Program form and may reject the designation of an Inclusive Business if he or she believes the information on the form is inaccurate or the entity is ineligible to be designated as an Inclusive Business. The Director of the Office of Procurement and Diversity or designee may request additional information prior to approving or rejecting the Inclusive Business designation.

Section 510.06

If an Inclusive Business designation is denied by the Office of Procurement and Diversity, the entity may submit a written complaint or appeal to the Director of the Office of Procurement and Diversity who shall notify the SBE Grievance Hearing Board. The written complaint or appeal by the entity shall be made within five (5) days to the Director of the Office of Procurement and Diversity upon receipt of the Director of the Office of Procurement and Diversity's decision. The SBE Grievance Hearing Board shall make every effort to hold the hearing no more than twenty (20) days from the date of receipt of the written complaint or appeal from the entity.

Section 510.07

If an Inclusive Business designation is denied by the Office of Procurement and Diversity and/or the SBE Grievance Hearing Board, the entity cannot reapply for designation as an Inclusive Business for a period of one (1) year from the date of the notice of denial.

Section 510.08

The Director of the Cuyahoga County Office of Procurement and Diversity or designee reserves the right and discretion to reject any bid or proposal for any reason or all bids or proposals for no reason at all without incurring any liability.

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Ordinance receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive

under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 9, 2016

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

Committee Report/Second Reading: April 12, 2016

Journal _____
_____, 20__