



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
MONDAY, OCTOBER 24, 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) October 11, 2016 Committee of the Whole Meeting (See Page 9)
 - b) October 11, 2016 Regular Meeting (See Page 12)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
 - a) Presentation of a proclamation to commemorate October as Disability Employment Awareness Month in Cuyahoga County (See Page 27)
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**
 - a) **CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**

- 1) R2016-0193: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Ohio Association of Public School Employees, Local 744, affiliated with Association of Federal, State, County and Municipal Employees, AFL-CIO, Chapter 744, representing approximately 71 employees in 4 classifications in transportation services for the period 1/1/2017 - 12/31/2019; and declaring the necessity that this Resolution become immediately effective. (See Page 28)

Sponsors: Council President Brady on behalf of Cuyahoga County Board of Developmental Disabilities

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

- 1) R2016-0194: 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 35)

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

- 2) R2016-0195: A Resolution authorizing a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$716,955.00 for administration of the FY2015 Supportive Housing Program – Rapid Re-housing/Permanent Housing Program for Single Adults and Youth for the period 10/1/2016 - 9/30/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 49)

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

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

- 1) R2016-0196: A Resolution authorizing a revenue generating agreement with Corporate Wings – Cleveland, LLC in the amount not-to-exceed \$1,000,000.00 for lease of hangar space located at the Cuyahoga County Airport for the period 9/1/2016 - 8/31/2026; 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 53)

Sponsor: County Executive Budish/Department of Public Works

- 2) R2016-0197: 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 \$22,711,693.00; 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 56)

Sponsor: County Executive Budish/Department of Public Works

- 3) R2016-0198: A Resolution making an award on RQ37936 to Hylant Group, Inc. in the amount not-to-exceed \$1,445,000.00 for insurance brokerage and risk management services for the period 1/1/2017 - 12/31/2017; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 61)

Sponsor: County Executive Budish/Department of Law/ Division of Risk Management

- 4) R2016-0199: A Resolution authorizing an amendment to Agreement No. AG1400087-01 with Educational Service Center of Cuyahoga County for fiscal and administrative services for the Help Me Grow Bright Beginnings Home Visiting Program for the period 7/1/2014 - 6/30/2016 to

extend the time period to 9/30/2016 and for additional funds in the amount not-to-exceed \$470,438.00; 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 68)

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

- 5) R2016-0200: A Resolution authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the 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 73)

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

- 6) R2016-0201: A Resolution authorizing a contract with Starting Point in the amount not-to-exceed \$600,000.00 for the Out-of-School Time Program for the period 10/1/2016 - 1/31/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 76)

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

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

- 1) R2016-0137: A Resolution authorizing an Electric Service Agreement with City of Cleveland/Department of Public Utilities/Division of Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric power services for various County-owned buildings for the period 9/1/2016 - 5/1/2028; authorizing the County Executive to execute the agreement and all other documents consistent with the

agreement and this Resolution; and declaring the necessity that this Resolution become immediately effective. [Pending Committee Recommendation] (See Page 79)

Sponsor: County Executive Budish/Department of Sustainability

Committee Assignment and Chair: Committee of the Whole – Brady

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

- 1) R2016-0190: A Resolution authorizing a First Amendment to Lease and Right of First Refusal Agreement with The Board of Park Commissioners of the Cleveland Metropolitan Park District for County-owned property on the Flats East and West Banks, located at 1170 Old River Road, Cleveland, for a term of 99 years, by adding Permanent Parcel No. 003-16-029 located adjacent to the intersection of Main Avenue and Center Street underneath the Cleveland Memorial Shoreway; 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 82)

Sponsor: County Executive Budish/Department of Public Works

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

- 2) R2016-0191: A Resolution authorizing an amendment to Contract No. CE1300548-01 with Marisupham, LLC for lease of office space in the Marion Building, located at 1276 West 3rd Street, Cleveland, for the period 12/1/2013 - 10/31/2016 to extend the time period to 10/31/2017 and for additional funds in the amount not-to-exceed \$1,108,668.60; 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 85)

Sponsor: County Executive Budish/Department of Public Works

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0179: A Resolution declaring that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-00.67 over French Creek in the City of North Olmsted; total estimated project cost \$756,000.00; 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 an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective. (See Page 88)

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

- 2) R2016-0180: A Resolution declaring that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-05.44 over Walker Ditch in the City of Westlake; total estimated project cost \$581,000.00; 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 an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective. (See Page 91)

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

- 3) R2016-0181: A Resolution declaring that public convenience and welfare requires culvert replacement of Lindbergh Boulevard Culvert C-00.93 over a creek to West Branch of Rocky River in the City of Olmsted Falls; total estimated project cost \$744,000.00; 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 an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective. (See Page 94)

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

- 4) R2016-0184: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5025 for reconstruction with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective. (See Page 97)

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

f) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR THIRD READING ADOPTION

- 1) O2016-0012: An Ordinance amending Section 303.01 of the Cuyahoga County Code to update the Civil Service Code of Cuyahoga County, as amended; and declaring the necessity that this Ordinance become immediately effective. (See Page 100)

Sponsor: County Executive Budish/Department of Human Resources

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

11. MISCELLANEOUS COMMITTEE REPORTS

12. MISCELLANEOUS BUSINESS

13. PUBLIC COMMENT UNRELATED TO AGENDA

14. ADJOURNMENT

NEXT MEETINGS FOR REMAINDER OF 2016

COMMITTEE OF THE WHOLE MEETING:

**TUESDAY, NOVEMBER 15, 2016
TBD / COUNCIL CHAMBERS**

<u>REGULAR MEETING:</u>	TUESDAY, NOVEMBER 15, 2016 5:00 PM / COUNCIL CHAMBERS
<u>COMMITTEE OF THE WHOLE MEETING:</u>	TUESDAY, NOVEMBER 29, 2016 TBD / COUNCIL CHAMBERS
<u>REGULAR MEETING:</u>	TUESDAY, NOVEMBER 29, 2016 5:00 PM / COUNCIL CHAMBERS
<u>COMMITTEE OF THE WHOLE MEETING – 2017 BUDGET UPDATE:</u>	TUESDAY, DECEMBER 6, 2016 2:00 PM / COUNCIL CHAMBERS
<u>COMMITTEE OF THE WHOLE MEETING – ANNUAL ETHICS TRAINING:</u>	TUESDAY, DECEMBER 13, 2016 TBD / COUNCIL CHAMBERS
<u>REGULAR MEETING:</u>	TUESDAY, DECEMBER 13, 2016 5:00 PM / COUNCIL CHAMBERS
<u>SPECIAL MEETING – OBM FISCAL ITEMS ONLY:</u>	WEDNESDAY, DECEMBER 28, 2016 10:30 AM / 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, OCTOBER 11, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
1:00 PM

1. CALL TO ORDER

Council President Brady called the meeting to order at 1:08 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO AGENDA

The following individuals addressed Council regarding Resolution No. R2016-0137, a Resolution authorizing an Electric Service Agreement with City of Cleveland/Department of Public Utilities/Division of Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric power services:

- a) **Mr. John Colm, Great Lakes Wind Network**
- b) **Mr. Robert Zadkovich, The Great Lakes Towing Company**
- c) **Mr. David Turner, External Affairs Manager for First Energy**
- d) **Mr. Sonny Fanelli, Director of Rates and Regulatory Affairs for First Energy**

4. ITEM REFERRED TO COMMITTEE

- a) R2016-0137: A Resolution authorizing an Electric Service Agreement with City of Cleveland/Department of Public Utilities/Division of Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric power services for various County-owned buildings for the period 9/1/2016 - 5/1/2028; authorizing the County Executive to execute the agreement and all other

documents consistent with the agreement and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Michael Foley, Director of the Department of Sustainability; Mr. William Zigli, Deputy Commissioner of Cleveland Public Power; and Ms. SeMia Bray, Local Director for Emerald Cities Collaborative addressed Council regarding Resolution No. R2016-0137. Discussion ensued.

Councilmembers asked questions of Mr. Foley; Mr. Zigli; Mr. David Karpinski, Vice President of Operations of LEEDCo; Mr. Turner; Mr. Fanelli; Mr. Lorry Wagner, President of LEEDCo; Ms. Bray; and Ms. Shanelle Smith, Deputy Director of the Department of Sustainability pertaining to the item, which they answered accordingly.

No further legislative action was taken on Resolution No. R2016-0137.

[Clerk's Note: Mr. Greenspan recused himself from discussion and voting on this item due to a potential conflict of interest.]

5. DISCUSSION / EXECUTIVE SESSION:

a) Collective bargaining matters, including:

- 1) an amendment to a Collective Bargaining Agreement between Cuyahoga County and Graphic Communications Conference of the International Brotherhood of Teamsters, Local 546M, representing approximately 6 employees in 2 classifications at the Department of Public Works for the period 2/1/2015 - 1/31/2018 to establish terms of the wage re-opener for the period 2/1/2017 - 1/31/2018 and to modify Article 25, Section 3.**
- 2) an amendment to a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 2927, AFL-CIO, representing approximately 34 employees in various classifications at the Sheriff's Department for the period 1/1/2015 - 12/31/2017 to establish terms of the wage re-opener for the period 1/1/2017 - 12/31/2017 and to modify Article 15, Section 1.**

A motion was made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing collective bargaining matters and for no other purpose whatsoever. Executive Session was then called to order by Council President Brady at 2:46 p.m. The following Councilmembers were present: Brown, Hairston, Simon, Greenspan, Miller, Germana, Gallagher, Schron, Conwell, Jones and Brady. The following additional attendees were present: Director of Law Robert Triozzi, Deputy Chief Law Director Nora Hurley, Assistant Law Director Todd Ellsworth, Assistant Law Director Jonathan Scandling and Special Counsel Michael King.

At 2:52 pm., Executive Session was adjourned without objection and Council President Brady then reconvened the meeting.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. PUBLIC COMMENT UNRELATED TO AGENDA

There were no public comments given unrelated to the agenda.

8. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 2:53 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 11, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
3:00 PM**

1. CALL TO ORDER

Council President Brady called the meeting to order at 3:07 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

There was no moment of silent meditation.

5. PUBLIC COMMENT RELATED TO AGENDA

Mr. Leo Spellacy, Jr. addressed Council regarding Resolution No. R2016-0167, a Resolution making a revenue generating award on RQ32983 to Securus Technologies, Inc. in the estimated amount of \$12,000,000.00 for inmate communication and financial management systems.

Mr. Rico Dancy addressed Council regarding HB 769 and issues with law enforcement officials.

6. APPROVAL OF MINUTES

- a) September 27, 2016 Committee of the Whole Meeting
- b) September 27, 2016 Regular Meeting

A motion was made by Mr. Miller, seconded by Mr. Hairston and approved by majority vote to approve the minutes of the September 27, 2016 Committee of the Whole and Regular meetings, with Mr. Brady and Mr. Schron abstaining from the vote.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady thanked Council Vice-President Jones for chairing the September 27, 2016 Committee of the Whole and Council meetings.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **Congratulated the Cleveland Indians on their recent victory; and**
- b) **Announced that it is the last day for voter registration and that early voting begins tomorrow. He also encouraged all citizens to vote.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2016-0169, R2016-0170, R2016-0171, R2016-0172 and R2016-0173.

- 1) R2016-0169: A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Conwell on behalf of Cuyahoga County Personnel Review Commission

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

On a motion by Ms. Conwell with a second by Mr. Schron, Resolution No. R2016-0169 was considered and adopted by unanimous vote.

- 2) R2016-0170: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Natural Areas Land Conservancy for the conservation of ecologically significant areas known as Shelter Hill Ravines located in the Village of Hunting Valley, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

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

On a motion by Ms. Simon with a second by Mr. Schron, Resolution No. R2016-0170 was considered and adopted by unanimous vote.

- 3) R2016-0171: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Western Reserve Land Conservancy for the acquisition and conservation of ecologically significant areas known as Brecksville Upland Preserve located in the City of Brecksville, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

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

On a motion by Ms. Simon with a second by Mr. Schron, Resolution No. R2016-0171 was considered and adopted by unanimous vote.

- 4) R2016-0172: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for the acquisition and conservation of ecologically significant areas along the main stem of West Creek located in the City of Parma, and declaring

the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon **and Germana** on behalf of Cuyahoga County Planning Commission

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

On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2016-0172 was considered and adopted by unanimous vote.

- 5) R2016-0173: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of L.A.N.D. Studio, Inc. for the acquisition and conservation of ecologically significant areas on Irishtown Bend hillside along the Cuyahoga River located in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon on behalf of Cuyahoga County Planning Commission

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

On a motion by Ms. Simon with a second by Mr. Miller, Resolution No. R2016-0173 was considered and adopted by unanimous vote.

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. R2016-0187, R2016-0188 and R2016-0189.

- 1) R2016-0187: 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.

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

On a motion by Mr. Greenspan with a second by Ms. Conwell, Resolution No. R2016-0187 was considered and adopted by unanimous vote.

- 2) R2016-0188: A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Graphic Communications Conference of the International Brotherhood of Teamsters, Local 546M, representing approximately 6 employees in 2 classifications at the Department of Public Works for the period 2/1/2015 - 1/31/2018 to establish terms of the wage re-opener for the period 2/1/2017 - 1/31/2018 and to modify Article 25, Section 3; directing that funds necessary to implement the amendment be budgeted and appropriated; 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/Departments of Law and Public Works

On a motion by Mr. Miller with a second by Mr. Brady, Resolution No. R2016-0188 was considered and adopted by unanimous vote.

- 3) R2016-0189: A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 2927, AFL-CIO, representing approximately 34 employees in various classifications at the Sheriff's Department for the period 1/1/2015 - 12/31/2017 to establish terms of the wage re-opener for the period 1/1/2017 - 12/31/2017 and to modify Article 15, Section 1; directing that funds necessary to implement the amendment be budgeted and appropriated; 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 Law and County Sheriff

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2016-0189 was considered and adopted by unanimous vote.

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

- 1) R2016-0190: A Resolution authorizing a First Amendment to Lease and Right of First Refusal Agreement with The Board of Park Commissioners of the Cleveland Metropolitan Park District for County-owned property on the Flats East and West Banks, located at 1170 Old River Road, Cleveland, for a term of 99 years, by adding Permanent Parcel No. 003-16-029 located adjacent to the intersection of Main Avenue and Center Street underneath the Cleveland Memorial Shoreway; 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. R2016-0190 to the Public Works, Procurement & Contracting Committee.

- 2) R2016-0191: A Resolution authorizing an amendment to Contract No. CE1300548-01 with Marisupham, LLC for lease of office space in the Marion Building, located at 1276 West 3rd Street, Cleveland, for the period 12/1/2013 - 10/31/2016 to extend the time period to 10/31/2017 and for additional funds in the amount not-to-exceed \$1,108,668.60; 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. R2016-0191 to the Public Works, Procurement & Contracting Committee.

- 3) R2016-0192: A Resolution authorizing a contract with Applewood Centers, Inc. in the amount not-to-exceed \$641,000.00 for the Placement Planning Day Report Program

for the period 7/1/2016 - 6/30/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2016-0192 to the Public Safety & Justice Affairs Committee.

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2016-0179: A Resolution declaring that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-00.67 over French Creek in the City of North Olmsted; total estimated project cost \$756,000.00; 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 an agreement of cooperation with said 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

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

Clerk Schmotzer read Resolution No. R2016-0179 into the record.

This item will move to the next Council meeting agenda for consideration for third reading adoption.

- 2) R2016-0180: A Resolution declaring that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-05.44 over Walker Ditch in the City of Westlake; total estimated project cost \$581,000.00; 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 an agreement of cooperation with said 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

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

Clerk Schmotzer read Resolution No. R2016-0180 into the record.

This item will move to the next Council meeting agenda for consideration for third reading adoption.

- 3) R2016-0181: A Resolution declaring that public convenience and welfare requires culvert replacement of Lindbergh Boulevard Culvert C-00.93 over a creek to West Branch of Rocky River in the City of Olmsted Falls; total estimated project cost \$744,000.00; 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 an agreement of cooperation with said 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

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

Clerk Schmotzer read Resolution No. R2016-0181 into the record.

This item will move to the next Council meeting agenda for consideration for third reading adoption.

- 4) R2016-0184: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5025 for reconstruction with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.

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

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

Clerk Schmotzer read Resolution No. R2016-0184 into the record.

This item will move to the next Council meeting agenda for consideration for third reading adoption.

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2016-0178, R2016-0182, R2016-0183, R2016-0185 and R2016-0186.

- 1) R2016-0178: A Resolution authorizing an amendment to a revenue generating agreement with University Hospitals Health System, Inc. for lease of space in the Samuel R. Gerber Cuyahoga County Medical Examiner's Building, located at 11001 Cedar Avenue, Cleveland, for the period 7/30/1996 - 5/31/2016 to extend the time period to 5/31/2017 and for additional revenue in the amount not-to-exceed \$465,045.00; 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

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

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2016-0178 was considered and adopted by unanimous vote.

- 2) R2016-0182: A Resolution making an award on RQ37533 to Schirmer Construction, LLC in the amount not-to-exceed \$1,953,750.00 for rehabilitation of Cedar Road Bridge No. 229 over Doan Brook in the City of Cleveland; authorizing the County Executive to execute the contract and all other

documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2016-0182 was considered and adopted by unanimous vote.

- 3) R2016-0183: A Resolution authorizing an amendment to Contract No. CE1300507-01 for design engineering services for the Towpath Trail - Stage 4 from Tremont/Literary Trailhead to Canal Basin Park in Cuyahoga County to change the name of the provider from Michael Baker Jr., Inc. to Michael Baker International, Inc., to change the scope of services and the terms, effective 7/12/2016, and for additional funds in the amount not-to-exceed \$1,043,913.00; 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.

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

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

On a motion by Mr. Miller with a second by Ms. Simon, Resolution No. R2016-0183 was considered and adopted by unanimous vote.

- 4) R2016-0185: A Resolution authorizing a contract with Tax Ease Ohio, LLC, as purchaser and servicer, in the amount not-to-exceed \$50,000,000.00 for the sale of tax lien certificates; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/County Treasurer **and Councilmember Germana**

Committee Assignment and Chair: Community Development – Hairston

On a motion by Mr. Hairston with a second by Ms. Simon, Resolution No. R2016-0185 was considered and adopted by unanimous vote.

- 5) R2016-0186: A Resolution authorizing an amendment to Contract No. CE1200260-01 with Mental Health Services for Homeless Persons, Inc. dba Frontline Service for transitional housing program services for the period 6/1/2012 - 9/30/2016 to extend the time period to 9/30/2017 and for additional funds in the amount not-to-exceed \$1,222,993.00; 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 Health and Human Services/Division of Community Initiatives/Office of Homeless Services

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

On a motion by Mr. Jones with a second by Ms. Brown, Resolution No. R2016-0186 was considered and adopted by unanimous vote.

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2016-0141: A Resolution making awards on RQ29315 to various providers, in the total amount not-to-exceed \$23,849,601.00, for various services for the Enterprise Resource Planning System for various time periods; authorizing the County Executive to execute the contracts, master services agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) Ciber, Inc. in the amount not-to-exceed \$9,036,696.00 for information technology services

and solutions for the period 10/1/2016 - 9/30/2021.

- ii) Infor Public Sector, Inc. in the amount not-to-exceed \$14,358,698.00 for software licenses, maintenance and support for ERP software for the period 10/1/2016 - 9/30/2026.
- iii) MHC Software, Inc. in the amount not-to-exceed \$194,635.00 for ERP printing integration software licenses, support and implementation services for the period 10/1/2016 - 9/30/2021.
- iv) Emphasys Software in the amount not-to-exceed \$259,573.00 for licenses, support and maintenance and implementation services for SymPro Treasury Management Software for the period 10/1/2016 - 9/30/2026.

Sponsors: County Executive Budish/Department of Information Technology and Councilmembers Greenspan, Miller, Hairston and Schron

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2016-0141 was considered and adopted by unanimous vote.

- 2) R2016-0153: A Resolution confirming the County Executive's appointment and reappointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Development Board for an unexpired term ending 6/30/2019, and declaring the necessity that this Resolution become immediately effective:

- i) Appointments:
 - a) Ethan Karp
 - b) Mone Givner
- ii) Reappointment:
 - a) Aaron Grossman

Sponsor: County Executive Budish

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2016-0153 was considered and adopted by unanimous vote.

- 3) R2016-0154: A Resolution confirming the County Executive's appointment and reappointment of various individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council for an unexpired term ending 6/30/2018, and declaring the necessity that this Resolution become immediately effective:

i) Appointments:

- a) Tracy Johnson
- b) Chris Kreuger
- c) LeAnder Lovett
- d) Maurice Smith
- e) Dr. Alan Taege
- f) Robert Watkins

ii) Reappointments:

- a) Kimberlin Dennis
- b) Susan DiCocco
- c) Melissa Federman
- d) Bryan Jones
- e) James Stevenson
- f) Leshia Yarbrough-Franklin

Sponsor: County Executive Budish

On a motion by Ms. Conwell with a second by Mr. Germana, Resolution No. R2016-0154 was considered and adopted by unanimous vote.

- 4) R2016-0156: A Resolution authorizing a utility agreement with City of Olmsted Falls for installation and maintenance of a joint sanitary sewer; operation, maintenance and repair of pump stations and wastewater treatment plants; and maintenance and repair of storm and sanitary sewers located in County Sewer District No. 14; and 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 Public Works and Councilmember Gallagher

On a motion by Mr. Germana with a second by Ms. Simon, Resolution No. R2016-0156 was considered and adopted by unanimous vote.

- 5) R2016-0158: A Resolution authorizing an Economic Development Fund Business Growth and Attraction loan in the amount not-to-exceed \$2,000,000.00 to 105th Cedar Partners, LLC for the benefit of a project located at East 105th Street and Cedar Avenue, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development and Councilmembers Conwell, Germana, Miller, Greenspan and Hairston

On a motion by Mr. Hairston with a second by Ms. Conwell, Resolution No. R2016-0158 was considered and adopted by unanimous vote.

- f) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING AND REFERRAL TO COMMITTEE

- 1) O2016-0012: An Ordinance amending Section 303.01 of the Cuyahoga County Code to update the Civil Service Code of Cuyahoga County, as amended; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive Budish/Department of Human Resources

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

Council President Brady referred Ordinance No. O2016-0012 to the Human Resources, Appointments & Equity Committee.

11. MISCELLANEOUS COMMITTEE REPORTS

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, October 19, 2016 at 10:00 a.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Mr. Chris Glassburn thanked Council and County Executive Budish for the opportunity to work for Cuyahoga County over the past two years.

Rev. Pamela Pinkney Butts addressed Council regarding her presidential campaign.

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

- a) R2016-0174: A Resolution supporting an application for funding under the Clean Ohio Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Doan Brook Watershed Partnership for floodplain and riparian corridor restoration of Doan Brook in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

Clerk Schmotzer reported that Resolution No. R2016-0174 was withdrawn at the request of the Cuyahoga County Planning Commission as Doan Brook Watershed Partnership asked that its application for funding be withdrawn from consideration.

15. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 3:44 p.m., without objection.


Cuyahoga County Council

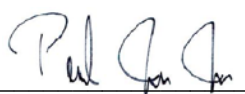
The Council of Cuyahoga County, Ohio,
wishes to extend its support of

Disability Employment Awareness Month

- WHEREAS,** the annual observance of **Disability Employment Awareness Month** is designed to recognize the contributions of workers with disabilities. The effort to educate the American public about issues related to disability and employment actually began in 1945, when Congress enacted a law declaring the first week of October each year "National Employ the Physically Handicapped Week;" and
- WHEREAS,** in 1962, the word "physically" was removed to acknowledge the employment needs and contributions of individuals with all types of disabilities. In 1988, Congress expanded the week to a month and changed the name to "National Disability Employment Awareness Month;" and
- WHEREAS,** this observance presents us with the opportunity to increase the public's awareness of the contributions and skills of American workers with disabilities. Programs carried out during this month will also highlight the specific barriers that still need to be addressed and removed; and
- WHEREAS,** the 2016 observance theme is "#InclusionWorks" and builds on the founding fathers' philosophy that the new nation sees every human being having inherent worth bestowed upon them by the Creator, and that equality is a fundamental right; and
- WHEREAS,** Americans with disabilities strengthen our country's workforce. By enhancing the workplace environment for people with disabilities, employers can help provide access to jobs that allow these individuals to demonstrate their potential and realize their dreams. Americans with disabilities are an underutilized reservoir of ambition, talent and skill ready to make great contributions to the workplace.

NOW, THEREFORE, BE IT RESOLVED that the Council of Cuyahoga County, Ohio, hereby proclaims the month of October 2016 as **Disability Employment Awareness Month**. Cuyahoga County recognizes the importance of the critical need to expanding resources and access to individuals with disabilities and improving their quality of life.


Dan Brady; President

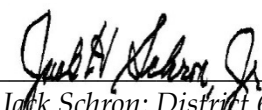

Pernel Jones; Vice-President


Dave Greenspan; District 1


Dale Miller; District 2


Charles Germana; District 4

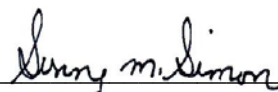

Michael J. Gallagher; District 5


Jack Schron; District 6


Yvonne M. Conwell; District 7


Shontel Brown; District 9


Anthony T. Hairston; District 10


Sunny M. Simon; District 11

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0193

<p>Sponsored by: Council President Brady on behalf of Cuyahoga County Board of Developmental Disabilities</p>	<p>A Resolution approving a Collective Bargaining Agreement between Cuyahoga County Board of Developmental Disabilities and Ohio Association of Public School Employees, Local 744, affiliated with Association of Federal, State, County and Municipal Employees, AFL-CIO, Chapter 744, representing approximately 71 employees in 4 classifications in transportation services for the period 1/1/2017 - 12/31/2019; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the Cuyahoga County Board of Developmental Disabilities (“CCBDD”) has been engaged in collective bargaining negotiations with Ohio Association of Public School Employees, Local 744, affiliated with Association of Federal, State, County and Municipal Employees, AFL-CIO, Chapter 744, representing approximately 71 employees in 4 classifications in transportation services for the period 1/1/2017 - 12/31/2019; and,

WHEREAS, the current Collective Bargaining Agreement between the parties is due to expire on December 31, 2016; and,

WHEREAS, pursuant to these negotiations, the parties have reached a tentative agreement setting forth a successor collective bargaining agreement; and,

WHEREAS, the Ohio Association of Public School Employees, Local 744, ratified the tentative agreement on September 21, 2016 and the CCBDD, by unanimous vote at its regular meeting on September 22, 2016, approved the agreement and recommended approval by the Cuyahoga County Council; 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, it is necessary that this Resolution become effective immediately to ensure the efficient operation of the Cuyahoga County Board of Developmental Disabilities; and,

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 Board of Developmental Disabilities and Ohio Association of Public School Employees, Local 744, affiliated with Association of Federal, State, County and Municipal Employees, AFL-CIO, Chapter 744, representing approximately 71 employees in 4 classifications in transportation services for the period 1/1/2017 - 12/31/2019; and authorizes execution by the CCBDD and its administrators of all documents necessary to effectuate this transaction.

SECTION 2. The Cuyahoga County Council hereby determines that the CCBDD has the necessary funds to compensate the employees of the Ohio Association of Public School Employees, Local 744, and to make any and all expenditures as required by the provisions of this collective bargaining agreement.

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 the Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 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


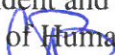
Journal CC024
October 24, 2016



1275 Lakeside Avenue East
Cleveland, Ohio 44114-1129
(216) 241-8230
Fax (216) 861-0253
www.CuyahogaBDD.org

MEMORANDUM

TO: Cuyahoga County Council

FROM: Kelly A. Petty, Superintendent and CEO 
Christina Brown, Director of Human Resources 

DATE: October 5, 2016

RE: **Approval of Labor Agreement between Ohio Association of Public School Employees, Local 744 for the period from January 1, 2017 - December 31, 2019**

Steven M. Licciardi
President

Tania J. Younkin
Vice President

Lisa M. Hunt
Secretary

Ara A. Bagdasarian

David S. Crampton, Ph.D.

Diane Roman Fusco

Richard V. Mazzola

State law requires that CCBDD labor agreements be submitted to the Cuyahoga County Council for approval. Therefore, enclosed is a draft copy of the agreement, a memo identifying the major changes from the previous agreement and various attachments. The basic salary increases for the 3 year agreement are as follows: 2.25%, 1.75%, and 1.75%

The Cuyahoga County Council has three options. Two of the options involve placing the matter on the agenda of a public meeting and voting to accept or reject. The third option involves allowing the agreement to be approved without any formal action by the Council. This labor agreement will be deemed approved if the Cuyahoga County Council takes no action in the next thirty days. The third option has been selected in past years.

Please contact us if you have any questions.

CB/rck
Enclosures



C U Y A H O G A C O U N T Y
Board of Developmental Disabilities

1275 Lakeside Avenue East
Cleveland, Ohio 44114-1129
(216) 241-8230
Fax (216) 861-0253
www.CuyahogaBDD.org

MEMORANDUM

TO: Cuyahoga County Board of Developmental Disabilities

FROM: Kelly Petty, Superintendent
Tony Lemut, General Manager Transportation/Security
Christina Brown, Director of Human Resources

DATE: September 15, 2016

SUBJECT: **Approval of Collective Bargaining Agreement with OAPSE Local 744, 2017-2019**

Steven M. Licciardi
President

Tania J. Younkin
Vice President

Lisa M. Hunt
Secretary

Ara A. Bagdasarian

David S. Crampton, Ph.D

Diane Roman Fusco

Richard V. Mazzola

ACTION REQUESTED

- 1. Approve tentative agreement (pending the union vote for ratification on September 22) between the OAPSE Local 744 bargaining unit (approximately 68 Transportation employees) and CCBDD for the 3 year period, January 1, 2017 – December 31, 2019, which replaces the prior CBA agreement and extension between these parties for the period January 1, 2013 – December 31, 2016.**
- 2. Recommend approval of the CBA to the Cuyahoga County Council.**

This bargaining unit consists of transportation department employees including bus drivers, monitors, mechanics, and the driver trainers. All 68 employees are non-exempt hourly employees.

The key issues involved Article 11 – Work Schedule, Article 26 – Vacation and Article 39 – Early Retirement Incentive Program.

The plan of closing the east side garage in the Fall of 2018 means that CCBDD will need a bit of flexibility as it relates to work assignments. The CCBDD successfully negotiated language with that goal in mind.

The number of vacation slots available during the annual vacation bid was also negotiated down to a manageable number, taking into account the shrinking staff in the Transportation department. In addition, the number of accrued vacation time that can be carried over was reduced from three years to two years.

In continual preparation to move from the existing facility for Transportation services, the CCBDD offered a retirement/separation incentive to allow for more movement within this unit during the 2017 calendar year, prior to the move. This will significantly help with planning for a new location(s) for the Transportation staff in 2018. With the changes

on the horizon as it relates to this department, it is better to have employees voluntarily opting for retirement rather than being laid off.

The CBA provides a 2.25% wage increase in 2017, and 1.75% increase in 2018 and 2019.

The CBA includes a \$250 signing bonus payable upon ratification of this agreement, but not later than the last pay of January 2017. Article 40, Health Insurance, allowed the CCBDD to increase the percentage of employee contribution during 2018 and 2019. In addition, changes were made to the plan design in an attempt to help save money moving forward.

Please call us if you have any questions.

RESOLUTION

September 22, 2016

8f. APPROVAL OF TENTATIVE AGREEMENT WITH OAPSE LOCAL 744

RESOLVED, that the Cuyahoga County Board of Developmental Disabilities approves hereby and authorizes the Superintendent to enter into a three year collective bargaining agreement for the period January 1, 2017 through December 31, 2019, with OAPSE Local 744, as negotiated between the CCBDD and OAPSE Local 744 representatives; and,

BE IT FURTHER RESOLVED, that the Cuyahoga County Board of Developmental Disabilities requests hereby that the Cuyahoga County Council approve this collective bargaining agreement; and,

BE IT FURTHER RESOLVED, that the Superintendent is authorized hereby to take any and all actions necessary to carry out these transactions, so moved.

Moved DF

Seconded SL

AYE	NAY	
(4)	()	ARA A. BAGDASARIAN
(4)	()	DIANE ROMAN FUSCO
(4)	()	RICHARD V. MAZZOLA
(4)	()	TANIA J. YOUNKIN

AYE	NAY	
(4)	()	DAVID CRAMPTON
(4)	()	LISA M. HUNT
(4)	()	STEVEN M. LICCIARDI

error
KP

Certified By: [Signature]

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0194

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. 24A510 – Work & Training Administration **BA1606093**
WT137109 – Administrative Services
Other Expenses \$ (210,000.00)

An appropriation decrease is requested in the Division of Job and Family Services with an offsetting increase for the Office of HHS Administration in order to move the appropriation between sub funds to cover the controlled services charges for 2016. The source of funding is Public Assistance and the HHS Levy Fund.

B. 24A430 – Executive Office of HHS **BA1606094**
HS157289 – Executive Office of H&HS
Other Expenses \$ 210,000.00

An appropriation increase for the Office HHS Administration with an offsetting decrease in the Division of Job and Family services is requested in order to move the appropriation between sub funds to cover the controlled services charges for 2016. The source of funding is Public Assistance and the HHS Levy Fund.

C. 40A069 – Capital Projects **BA1607686**
CC768754 – Airport Runway Overlay – Phase II
Other Expenses \$ 10,000,915.17

Appropriation is requested for the Airport Runway Overlay Phase II project to fund the cash transfer from the project back to the General Fund. When the project was originally funded, an advance for the full value of the project (\$10.5 million) was made. 95% of the project will be funded by the Federal Aviation Association (FAA) and the Ohio Department of Transportation (ODOT) making the full amount of the advance unnecessary, needlessly tying up General Fund dollars. The General Fund's 5% contribution will remain in the project.

D. 21A036 – Family Justice Center Project 09/2011 **BA1615065**
JA753079 – Family Justice Center Project 09/2011
Other Expenses \$ (97,156.67)
Capital Outlays \$ (1,864.40)

The Department of Public Safety and Justice Services is requesting to reduce appropriations within Family Justice Center Encourage Arrest Project index (JA753079) to prepare grant for closure. Grant funds were awarded with a special condition hold of 5% (\$88,733) of the total award to allow for 48 hour HIV testing for victims. State legislation was not passed until 2015, past the deadline to use this funding. The County's total award was \$1,774,653, of which 99.4% was expended excluding the special condition. Grant dollars were provided through the reimbursement of approved expenditures. As no requests for reimbursement were submitted for the remaining appropriation of \$99,021.70, the County does not need to return these dollars to the Department of Justice. The funding source is the United States Department of Justice, Office on Violence Against Women, Encourage to Arrest and Enforcement of Protection Orders Grant. The grant period is from 10/1/2009 through 12/31/2015.

E. 21A854 – DNA Backlog Reduction Program **BA1613625**
CR756700 – 17/18 DNA Backlog Reduction Program
Other Expenses \$ 283,603.00

Requesting new appropriation in the amount of \$283,603 for the FY16 DNA Backlog Reduction Program grant to be set up in the new index code established for the grant. Approval to accept the award was granted on 09/26/2016, Approval No.CON2016-90. This will establish an index code for the FY2016 DNA Backlog Reduction Program for the performance period 01/1/2017-12/31/2018. These funds are awarded by the Department of Justice, Office of Justice Programs, National Institute of Justice and are directly awarded to the County. The Authority to apply, accept and expend grant funds was approved by the DC Notice of Award approved on 09/26/2016. No cash match is required. The current award is \$23,445, or 8%, less than the previous year's award.

F. 40A069 – Capital Projects	BA1607689
CC767834 – 2010 FAA Rehab Taxiway B, A6, U, W & Apron K	
Other Expenses	\$ 700.00

Appropriation is requested to close out this project. This appropriation will enable a cash transfer out of this project of \$22,585 to the 2015 Airport Runway Overlay Phase 1 project. Funding for this project came entirely from the FAA.

G. 20D450 – 2015 Excise Tax	BA1607690
DS040212 – Excise Tax Improvements	
Other Expenses	\$ 29,949,790.79

Appropriation is requested in the Excise Tax Improvements account to document Quicken Loans Arena and Progressive Field capital projects that will be undertaken in the 2016 fiscal year. These improvements are funded by the 2015 Excise Tax Bond offering in which over \$60 million was raised to undertake capital improvement projects at the two facilities. The 2015 Excise Tax Bonds will be paid back by taxes on cigarettes, alcohol, beer, wine and mixed drinks in the County. While the trustee maintains this activity, recording the expenses on the County's books is consistent with the Auditor of State requirement (Bulletin 2000-008) that the County must record "On-Behalf-of" payments on its books. This appropriation will not be funded by the General Fund.

H. 22A918 – HOME 2016	BA1613630
DV714642 – HOME Project Plan FY 2016	
Other Expenses	\$ 10,372.00

This appropriation increase is for the purposes of increasing appropriations to match the \$10,372.00 HOME grant award increase approved by HUD. The award increase requires the Department of Development to appropriate additional funds from its original budget created in May of 2016. The grant period is from 1/1/2016 through 12/31/2018. Funding for this project is from HUD HOME 14.239.

I. 21A762 – Port Security Grant	BA1615078
JA768747 – Port Security Grant FFY15-2015/2018	
Personal Services	\$ 5,934.61
Other Expenses	\$ 30,523.39

Requesting additional appropriation for the local cash match portion of the FY15 Port Security Grant. The cash match approved in the Federal award is for Public Safety Grant Administration (\$11,664) and the Sheriff's Office (\$24,794). FEMA Grant EMW-2015-PU-00284-S01to

Cuyahoga County Public Safety & Justice Services (PSJS) is for the period September 1, 2015 through August 31, 2018. Once additional appropriation is approved, AG160009-01 to the CCSO will be amended to the full award amount of \$99,178, including cash match. Cash transfer requests to provide the required match funds pending. Funds were included in the 2016 PSJS general fund budget to accommodate their match. Funding is from the FY15 Port Security Grant.

J.	67A100 – Workers’ Compensation Administration		BA1601557
	HR498006 – Workers’ Compensation Administration		
	Personal Services	\$	10,890.00
	Other Expenses	\$	1,912,000.00

The Workers’ Compensation Administration is requesting an increase in appropriation to fund the move of the Health & Safety personnel and related contracts from Public Works-Facilities Administration; a request to decrease appropriation will follow. An additional request for increased appropriation of \$1,870,000 will be used to pay the 2017 premium to the Ohio Bureau of Workers; Compensation. By paying the 2017 premium before 1/3/2017 the County will receive a 2% credit of approximately \$37,000. The source of funding comes from charges to user agencies based on claims experience and risk.

K.	67A200 – Workers’ Compensation - Claims		BA1601558
	HR498014 – Workers’ Comp. - Claims		
	Other Expenses	\$	(4,700,000.00)

The Workers’ Compensation Administration is requesting a decrease in appropriation not needed to cover claims costs. The source of funding comes from the charges to agencies based on claims experience and risk.

L.	61A607 – Centralized Custodial Services		BA1601559
	CT571000 – B&G - Administration		
	Personal Services	\$	(10,890.00)

The Workers’ Compensation Administration is requesting a decrease in appropriation from Facilities Administration to allow for the transfer of the Environmental Compliance Coordinator from the Department of Public Works to Workers’ Compensation, estimated to start Pay 23. The source of funding comes from charges to user agencies for space maintenance services.

M.	21A534 – Community Correction Act Grant Program		BA1601560
	SH350843 – FY17 Local Incarceration Program		
	Personal Services	\$	200,001.00

Additional appropriation is being requested by the Sheriff’s Department to set up the FY 2017 Local Incarceration Program from the Ohio Department of Rehabilitation and Corrections, Division of Parole and Community Services, Bureau of Community Sections. This is to set up for the new year of an existing grant. The grant award was approved on (DC2016-529) on 7/29/2016. The grant period is from 7/1/2016 through 6/30/2017. No County match is required.

N.	21A077 – FY15 SHSP-LE		BA1601561
	SH756718 – FY15 SHSP-LE		
	Capital Outlays	\$	90,419.97

Additional appropriation is being requested by the Sheriff's Department to set up the FY 2015 State Homeland Security – Law Enforcement Grant Program from the Ohio Emergency Management Agency through the Cuyahoga County Office of Emergency Management. This grant was approved on 5/26/2016 through an Inter-Agency Agreement. The grant period is from 5/25/2016 through 3/31/2018. No County match is required.

O.	22A967 – Brownfield RFL Co-Op Agreement		BA1613634
	DV709956 – Brownfield RFL Co-Op Agreement		
	Other Expenses	\$	399,382.17

Request to increase appropriations based on actual cash in subfund account in order to prepare for transfer of current cash balance to the treasury account (see transfer on JT1613636 for \$480,862.17). Once the cash is transferred the grant will be closed. No grant funds are being transferred, these are strictly revenues collected from loan repayments.

P.	22A907 – 2007 Lead Primary Prevention – E.C.		BA1613638
	DV712570 – 2007 Lead Primary Prevention – E.C.		
	Other Expenses	\$	(151,982.75)

Requesting appropriation decrease in preparation for account closure; grant is closed no pending expenditures or transfers; no funds were returned to the Federal government.

Q.	22A043 – 2011 Healthy Homes Initiative		BA1613639
	DV713453 – 2011 Healthy Homes Initiative		
	Other Expenses	\$	(1,343.16)

Requesting appropriation decrease in preparation for account closure; grant is closed; no funds were returned to the Federal government.

R.	22A967 – Brownfield RFL Co-Op Agreement		BA1613635
	DV709956 – Brownfield RFL Co-Op Agreement		
	Other Expenses	\$	(81,480.00)

This US EPA Co-Op Brownfield grant is closed, no pending expenditures, requesting that appropriations be decreased so account can be closed. No grant award dollars are being returned; appropriations were originally created and never utilized.

S.	01A001 – General Fund		BA1600239
	SU515015 – Western Reserve Fund GF Subsidy		
	Other Expenses	\$	13,000,000.00

Requesting appropriations for transfer (JT1600238) from the Western Reserve Fund Subsidy account to the Economic Development Fund (also known as the Western Reserve/Job Creation Fund). Funding is from the General Fund covering the period 1/1/16 through 12/31/16.

T.	20D447 – Economic Development Fund		BA1600240
	DV520676 – Cuyahoga County Western Reserve Fund		
	Other Expenses	\$	1,927,877.83

To provide appropriations to complete funding for the approval of a loan to 105th Partners (R2016-0158) for the IBM-Watson Project. Sufficient cash exists in the account for this

additional appropriation request. Funding is from loan repayments, funding from the Casino Fund and a General Fund Subsidy covering the period 1/1/16 through 12/31/16

U. 20A800 – Subsidy – Operation & Maint. of Det. Fac.	BA1603090
JC372300 – Subsidy – Operation & Maint. of Det. Fac.	
Other Expenses	\$ 31,000.00

To provide appropriations for expenses that can no longer be covered through the RECLAIM Ohio state fiscal year 2017 grant. Funding comes from child support payments made on behalf of juveniles held at the Ohio Department of Youth Services, which the State of Ohio opts to forward to counties. As of September 30, 2016, the cash balance in the fund was \$ 198,814.64.

V. 01A001 – General Fund	BA1603091
PC140053 – Public Defender	
Other Expenses	\$ 135,000.00

The Public Defender’s Office has a deficit due to the extraordinary expenses related to the defense of Michael Madison, a capital murder case. The requested appropriation increase would cover the expert witness, printing, postage, and travel expenses related to this case. Funding comes from the General Fund, which receives a 50% reimbursement from the State of Ohio for capital cases, which Madison was, and 48% reimbursement for all other cases.

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

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
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A. FROM: 40A069 – Capital Projects	BA1607687
CC767834 – 2010 FAA Rehab Taxiway B, A6, U, W & Apron K	
Capital Outlays	\$ 21,885.00
TO: 40A069 – Capital Projects	
CC767834 – 2010 FAA Rehab Taxiway B, A6, U, W & Apron K	
Other Expenses	\$ 21,885.00

An appropriation transfer is requested from Capital Outlays to Other Expenses in the 2010 FAA Rehab Taxiway B, A6, U, W & Apron K project. The project is completed and this appropriation transfer will enable the residual cash to be transferred out of the project to the 2015 Airport Runway Overlay Phase 1 project. Funding for the 2010 Rehab project came entirely from the FAA.

B. FROM: 01A001 – General Fund	BA1615066
DR495515 – Domestic Relations Child Support	
Other Expenses	\$ 34,222.00
TO: 01A001 – General Fund	
DR495515 – Domestic Relations Child Support	
Capital Outlays	\$ 24,298.72

TO: 01A001 – General Fund
 DR391052 – Domestic Relations
 Capital Outlays \$ 9,923.28

A request to transfer \$24,298.72 in appropriation from Domestic Relations Child Support (DR495515) Other Expenses (0610) to Domestic Relations Child Support (DR495515) Equipment and Furniture (0720) and \$9,923.28 in appropriation from Domestic Relations Child Support (DR495515) Other Expenses (0610) to Domestic Relations (DR391052) Equipment and Furniture (0720) for the purchase of equipment and furniture for the Domestic Relations Court Enforcement Services Area, Assignment and Scheduling Department, and various court rooms. Funds will be used to purchase workstations and chairs, as well as PC's, monitors and audio video equipment for hearings.

C. FROM: 01A001 – General Fund **BA1609123**
 FS109637 – Financial Reporting
 Other Expenses \$ 7,100.00

TO: 01A001 – General Fund
 FS109611 – Fiscal Office Administration
 Other Expenses \$ 7,100.00

Appropriation transfer from within Fiscal Office accounts to accommodate the anticipated approval of a contract with Stifel, Nocolaus, & Associates for Financial Services. The source of funding is the General Fund.

D. FROM: 20A804 – Public Defender – Cleveland Municipal Division **BA1603089**
 PD141028 - Public Defender – Cleveland Municipal Division
 Personal Services \$ 32,000.00

TO: 20A804 – Public Defender – Cleveland Municipal Division
 PD141028 - Public Defender – Cleveland Municipal Division
 Other Expenses \$ 2,000.00
 Capital Outlay \$ 30,000.00

The Cleveland Municipal Division of the Public Defender's Office has a surplus because of vacancies. The Office would like to use the appropriation to replace some of its computers with laptops. The computer upgrades would allow the Office to use the State of Ohio's case management system that is available to Public Defender's offices without charge. Their outdated computers do not have the capacity to use the case management software. The \$2,000 request to transfer to other operating would be used for travel. The funding comes from payments from the City of Cleveland.

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

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM: 01A001 – General Fund	JT1607684
SU514141 – Capital Improvement G/F Subsidy	
Transfer Out \$	988,427.94

TO: 40A069 – Capital Projects
 CC768622 – 2015 Airport Runway Overlay – Phase I
 Revenue Transfer \$ 988,427.94

A cash transfer is requested from the General fund to the Airport Runway Overlay Phase 1 project. This funding represents 9.8% of the total cost of the project; 0.2%, or \$22,585, is coming from the completed 2010 runway project. The Federal Aviation Association will fund the remaining 90% of the project, or \$9,099,116. Funding for phase 1 comes from the General Fund. Phase 1 was included on the 2015 CIP.

B. FROM: 40A069 – Capital Projects **JT1607685**
 CC768754 – Airport Runway Overlay – Phase II
 Transfer Out \$ 10,000,915.17

TO: 01A001 – General Fund
 SU514141 – Capital Improvement G/F Subsidy
 Revenue Transfer \$ 10,000,915.17

Cash transfer is requested from the Airport Runway Overlay Phase 2 project back to the General Fund to reimburse the General Fund for an advance of the total project which is not needed because 95% of the total project will come from the Federal Aviation Association and the Ohio Department of Transportation (\$8,983,527). Funding for the General Fund portion of phase 2 will come from the General fund (\$499,804.83) for a project total of \$9,981,696.66. Phase 2 was included on the CIP.

C. FROM: 40A069 – Capital Projects **JT1607688**
 CC767834 – 2010 FAA Rehab Taxiway B, A6, U, W & Apron K
 Transfer Out \$ 22,585.00

TO: 40A069 – Capital Projects
 CC768622 – 2015 Airport Runway Overlay – Phase I
 Revenue Transfer \$ 22,585.00

Cash transfer is requested from the 2010 FAA Rehab Taxiway B, A6, U, W & Apron K project to the 2015 Airport Runway Overlay – Phase I to help cover the cost to the General Fund of the project. The 2010 project is being closed out and excess cash in being transferred to the 2015 Runway project. Funding for the 2010 FAA Rehab project came from the FAA. Funding for the 2015 Airport Runway Overlay – Phase I project will come 90% from the FAA, 0.2% from the 2010 project and 9.8% from the General Fund.

D. FROM: 22A967 – Brownfield RFL Co-Op Agreement **JT1613636**
 DV709956 – Brownfield RFL Co-Op Agreement
 Transfer Out \$ 480,862.17

TO: 80M800 – CCT Cash Management
 ND593780 – Community Development #10
 Revenue Transfer \$ 480,862.17

Current Brownfield loan repayments are posting to this sub-fund; per US EPA regulations any current loan repayment should be captured as program income inside an external bank account

and cash to be utilized as revolving loan to fund future projects. This request will move all current cash in sub fund to Brownfield RLF Internal Treasury Account #10, no grant funds are being returned. Cash collected as revenue are strictly loan repayments.

E.	FROM: 22A082 – CDBG – Home FY94 DV710582 – CDBG – Home Housing Rehab 94 Transfer Out	\$ 389,858.19	JT1600235
	TO: 22A082 – CDBG – Home FY94 DV710590 – CDBG – Home Rental Rehab 94 Revenue Transfer	\$ 40,910.19	
	TO: 22A082 – CDBG – Home FY94 DV710608 – CDBG – Home Tenant Based Assist 94 Revenue Transfer	\$ 200,963.00	
	TO: 22A082 – CDBG – Home FY94 DV710657 – CDBG – Home CHDO 94 Revenue Transfer	\$ 900.00	
	TO: 22A082 – CDBG – Home FY94 DV710665 – Home Un- programmed Funds Revenue Transfer	\$ 147,085.00	

Appropriation transfer in preparation for grant closure. The grant has no cash balance and no funds are being returned to the funding source. Funding is from the United States Department of Housing and Urban Development covering the period 1/1/94 through 12/31/94.

F.	FROM: 20D448 – Casino Tax Revenue Fund DV520791 – Casino Tax Revenue Fund Transfer Out	\$ 87,587.12	JT1600237
	TO: 20D447 – Economic Development Fund DV520676 – Cuyahoga County Western Reserve Fund Revenue Transfer	\$ 87,587.12	

Requesting an Operating Transfer from the Department of Development Casino Tax Revenue Fund to the Job Creation Fund in the amount of \$87,587.12 for two revenues received covering the period 7/1/16 through 10/13/16. These revenues are repayments from the East Bank of the Flats posted on 8/10/16 (RR1610024-01) for \$48,612.50, another one posted on 10/5/16 (RR1612459-01) in the amount of \$25,002.32 from K & D and the last one also on 10/5/16 (RR1612460-01) in the amount of \$13,972.30 for Corning Place (Garfield Building). These payments equal \$87,587.12.

G.	FROM: 01A001 – General Fund SU515015 – Western Reserve Fund GF Subsidy Transfer Out	\$ 13,000,000.00	JT1600238
	TO: 20D447 – Economic Development Fund DV520676 – Cuyahoga County Western Reserve Fund Revenue Transfer	\$ 13,000,000.00	

Requesting an Operating Transfer (cash transfer) from the General Fund to the Department of Development's Economic Development Fund (also known as the Western Reserve/Job Creation Fund). The transfer represents \$7,014,707.74 of projects that have legislation that are to be distributed along with an additional \$5,885,292.26 of pending projects (also known as pipeline projects).

H.	FROM: 22A907 – 2007 Lead Primary Prevention – E. C.		JT1613642
	DV712570 – 2007 Lead Primary Prevention – E. C		
	Transfer Out	\$	9,767.57
	TO: 80M800 – C.C.T. Cash Mgmt Program		
	ND593269 – Community Development #8		
	Revenue Transfer	\$	9,767.57

Miscellaneous revenue received as fees for inspections services provided by Cuyahoga County DOD to the CC Board of Health. The Department of Development is requesting cash transfer to move these revenues into the CDBG Treasury account for future repurposing. Required by Federal rules and regulations.

I.	FROM: 22A043 – 2011 Healthy Homes Initiative		JT1613643
	DV713453 – 2011 Healthy Homes Initiative		
	Transfer Out	\$	7,716.78
	TO: 80M800 – C.C.T. Cash Mgmt Program		
	ND593269 – Community Development #8		
	Revenue Transfer	\$	7,716.78

Miscellaneous revenue received as fees for inspections services provided by Cuyahoga County DOD to the CC Board of Health. The Department of Development is requesting cash transfer to move these revenues into the CDBG Treasury account for future repurposing. Required by Federal rules and regulations.

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



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: October 17, 2016
RE: Fiscal Agenda – 10.25.16 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 **October 25, 2016**. The requested fiscal items, including additional appropriations, appropriation transfers, and cash transfers, meet agency budgetary needs.

This agenda includes a number of requests relative to the County's Capital Improvements Plan (CIP). The first is in an appropriation increase totaling \$700 to a completed Airport project; this increase and the appropriation transfer within the project account will enable the excess cash (\$22,585) in the project to be transferred to another Airport project (Phase I of the Runway Overlay) that was included in the approved 2015 CIP but never funded. The balance of the County's obligation to the project (10%) will be supported by a General Fund subsidy totaling \$988,427.94. Also included are an appropriation increase and corresponding cash transfer to return the \$10 million advance made to Phase II of the Runway Overlay project to the County's General Fund. 95% of the total project is supported by the Federal Aviation Association; the practice of advancing the full cost of these projects from the General Fund unnecessarily obligates County resources.

Also included on this agenda is a request to appropriate the 2016 projects supported by the 2015 Excise Tax Revenue Bonds issued by the County to support improvements to the sports facilities. On the last fiscal agenda appropriation was added to support the 2016 debt service payments. The activity associated with these bonds is maintained by an outside trustee, but recording the expenses in the County's Financial Statements is consistent with the Auditor of State requirement (Bulletin 2000-008).

Additionally, this agenda includes appropriation requests to support the transfer of Health and Safety personnel from the Department of Public Works to the Department of Human Resources/Workers Compensation. Both Public Works and Workers Compensation are supported by charges to user agencies for services; this transfer is expected to have a minimal impact on the County's General and HHS Levy Fund budgets. As the Workers Compensation charges have been temporarily suspended in order to draw down on the cash balance in the Fund, this transfer represents a savings, albeit a temporary one, to the County's General and HHS Levy Funds.

As has been projected all year, spending in the Public Defender's Office is expected to exceed budget as a result of two high-profile capital cases. This agenda includes a request to increase appropriation to the Public Defender's Office in the amount of \$135,000 to cover projected expenses. The State Public Defender reimburses expenses for capita cases at the rate of 50%, which reduces the General Fund impact of this request to \$67,500. This appropriation increase does not change the expenditure estimate, is simply seeks to align the budget with what has been projected throughout the year.

Finally, this fiscal agenda includes a request to appropriate \$1.9 million in the Economic Development (ED) Fund following the approval of the loan to 105th Partners for the IBM-Watson project (R2016-0158)

and a request to appropriate and transfer the \$13 million General Fund subsidy to the ED Fund. This subsidy was planned, but not included in the 2016 operating budget, but rather reflected as a Reserve on Balance (i.e. “below the line”). Based on the ED Fund projects that have been approved by Council and that are in the pipeline, it is now necessary to transfer the cash to support anticipated loan disbursements.

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	\$10,001,615.17	Special Revenue - General Fund Impact
Debt Service	\$29,949,790.79	Special Revenue – No General/HHS Levy Fund Impact
Development	(\$224,433.91)	Grant – No General Fund Impact
Development	\$2,414,847.12	Special Revenue – No General Fund Impact
GF Subsidies	\$13,000,000.00	General Fund
HHS Administration	\$210,000.00	Special Revenue – HHS Levy Fund Impact
Job & Family Services	(\$210,000.00)	Special Revenue – HHS Levy Fund Impact
Medical Examiner’s Office	\$283,603.00	Grant – No General/HHS Levy Fund Impact
Public Safety & Justice Services	(\$62,563.07)	Grant – No General/HHS Levy Fund Impact
Public Works	(\$10,890.00)	Special Revenue – General Fund Impact
Sheriff’s Office	\$290,420.97	Grant – No General Fund Impact
Workers Compensation	(\$2,777,110.00)	Special Revenue – General/HHS Levy Fund Impact
Juvenile Court	\$31,000.00	Special revenue – No General Fund Impact
Public Defender	\$135,000.00	General Fund
TOTAL	\$53,031,280.07	

The following represents the overall changes made via the Fiscal Agenda 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.

	<u>Proposed 10/24/16</u>	<u>Year-To-Date Amendments</u>	<u>R2015-0209</u>	<u>Adjusted Annual Appropriation</u>
General Fund	\$ 13,135,000.00	\$15,001,412.19	\$373,115,578.00*	\$401,251,990.19
HHS Levy Impact	\$ 0.00	\$254,431.96	\$237,653,893.00	\$237,908,324.96
Other Fund	\$ 39,896,280.07	\$232,909,594.01	\$859,036,267.00	\$1,131,842,141.08
Total Impact	\$ 53,031,280.07	\$248,165,438.16	\$1,469,805,738.00	\$1,771,002,456.23

*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
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Capital Projects	\$21,885.00	Special Revenue – No General/HHS Levy Fund Impact
Domestic Relations Court	\$34,222.00	General Fund
Fiscal Office	\$7,100.00	General Fund
Public Defender	\$32,000.00	Special Revenue – No General/HHS Levy Fund Impact
TOTAL	\$95,207.00	

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
GF Subsidies	\$13,988,427.94	General Fund
Capital Projects	\$10,000,915.17	General Fund
Capital Projects	\$22,585.00	Special Revenue – No General/HHS Levy Fund Impact
Development	\$480,862.17	Special Revenue – No General/HHS Levy Fund Impact
Development	\$407,342.54	Grant – No General/HHS Levy Fund Impact
TOTAL	\$24,900,132.82	

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

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0195

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services</p>	<p>A Resolution authorizing a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$716,955.00 for administration of the FY2015 Supportive Housing Program – Rapid Re-housing/Permanent Housing Program for Single Adults and Youth for the period 10/1/2016 - 9/30/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Office of Homeless Services has recommended a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$716,955.00 for administration of the Supportive Housing Program – Rapid Re-housing/Permanent Housing Program for Single Adults and Youth for the period 10/1/2016 - 9/30/2017; and

WHEREAS, the primary goals of the project are to: a) provide a short term rent subsidy for single adults and youth aged 18 to 24 experiencing a housing crisis, b) provide housing location assistance, and c) assist clients maintain their housing; and

WHEREAS, this project is funded 100% by the U.S. Department of Housing and Urban Development, FY2015 Homeless Assistance; 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 Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$716,955.00 for administration of the Supportive Housing Program – Rapid Re-housing/Permanent Housing Program for Single Adults and Youth for the period 10/1/2016 - 9/30/2017.

Item No. 8

A. Scope of Work Summary

1. Office of Homeless Services requesting approval of a contract with Emerald Development & Economic Network, Inc. for the anticipated cost \$716,955.00. The anticipated start-completion dates are (10/01/2016 – 9/30/2017).
2. The primary goals of the project are to:
 - a) provide a short term rent subsidy for single adults and youth aged 18 to 24, experiencing a housing crisis;
 - b) housing location assistance, and
 - c) case management to link clients with community resource to maintain their housing.
3. The project is not mandated by the County Charter or ORC.

B. Procurement

1. The procurement method for this project was (RFB, RFP, RFQ, grant agreement, or other). The total value of the (RFP, RFB, RFQ, etc.) is (\$xxx,xxx.xx).
2. The (above procurement method) was closed on (date). (*When applicable*) There is an SBE or DBE participation/goal (list the % of both).
3. [*Option 1*] There were (# bids/proposals/applications) pulled from OPD, (# bids/proposals/applications) submitted for review, (# bids/proposals/applications) approved.
3. [*Option 2*] The proposed (contract, loan, agreement, etc.) is an OPD approved sole source item with materials attached.
3. The proposed contract received an RFP exemption on 8/01/16. The approval letter is attached in myPro Related Documents.

C. Contractor and Project Information

1. The address of the vendor is:

Emerald Development & Economic Network, Inc.
7812 Madison Avenue
Cleveland, OH 44102
Council District #3
2. The executive director for the contractor/vendor is :

Irene Collins, (216) 961 – 9690.
- 3.a The address or location of the project is: County wide
- 3.b. The project is located County Wide.

D. Project Status and Planning

1. Rapid Re-Housing has been provided through other funding sources for families since FY2012. This activity is targeted to Single Adults and Youth and is a new award for these populations. This award is for a 12 month period, with an expectation of annual renewal funding.
2. N/A
3. The project is on a critical action path to assure approval prior to the start date of November 1, 2016. It was submitted in myPro on September 28th.
4. The project's term will begin 11/01/16.
5. N/A

E. Funding

1. The project is funded 100% by the Department of Housing & Urban Development, FY2015 Homeless Assistance Grant award to Cuyahoga County.
2. The provider is reimbursed on a monthly basis.
3. N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0196

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing a revenue generating agreement with Corporate Wings – Cleveland, LLC in the amount not-to-exceed \$1,000,000.00 for lease of hangar space located at the Cuyahoga County Airport for the period 9/1/2016 - 8/31/2026; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works recommends a revenue generating agreement with Corporate Wings – Cleveland, LLC in the amount not-to-exceed \$1,000,000.00 for lease of hangar space located at the Cuyahoga County Airport for the period 9/1/2016 - 8/31/2026; and

WHEREAS, this project is for a revenue generating lease agreement with Corporate Wings – Cleveland, LLC for lease of approximately 86,554 square feet for ground lease base rent, 16,500 square feet of hangar rent and fuel flow at the Cuyahoga County Airport, PPN 821-01-001, located at 26460 Curtiss Wright Parkway, Highland Heights, Ohio 44143; 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 revenue generating agreement with Corporate Wings – Cleveland, LLC in the amount not-to-exceed \$1,000,000.00 for lease of hangar space located at the Cuyahoga County Airport for the period 9/1/2016 - 8/31/2026.

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,

Item No. 1

The Department of Public Works requesting request approval for 2016 Revenue Generating Lease with Corporate Wings-Cleveland, LLC for lease of PPN 821-01-001 located 26460 Curtiss Wright Parkway, Highland Heights, Ohio 44143, for approximately 86,554 square feet for ground lease base rent, 16,500 square feet of hangar rent and fuel flow fees commencing on 9/1/16-8/31/2026 with two renewals for five (5) years each ending 8/31/2036. The approximate minimum revenue generated is \$ 1,000,000.00

Funding Source: Revenue Generating

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0197

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 \$22,711,693.00; 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 recommended 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 \$22,711,693.00; and

WHEREAS, the Cuyahoga County Board of Control made an initial award on RQ35765 to Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project on December 7, 2015 in the amount not-to-exceed \$500,000.00; and

WHEREAS, Resolution No. R2015-0274 was approved by Council on January 12, 2016 to increase the guaranteed maximum price in the amount not-to-exceed \$4,500,000.00; and

WHEREAS, Resolution No. R2016-0064 was approved by Council on April 12, 2016 to increase the guaranteed maximum price in the amount not-to-exceed \$18,000,000.00; and

WHEREAS, the primary goal of this amendment is to address the addition of ADA improvements to the garage and the elevator connecting the garage to the Old Courthouse. This amendment also includes costs related to hotel requests and unforeseen conditions related to repair and electrical code upgrades; and

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

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. 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 \$22,711,693.00 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 this contract, including 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 \$22,711,693.00.

SECTION 2. That the County Executive is hereby authorized to execute the amendment 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:
Committee(s) Assigned:

Journal _____
_____, 20__

Item No. 6

Turner-Ozanne A Joint Venture, Amendment #3, CE1500375, Huntington Park Garage, RQ #23733

Summary of Requested Action

Department of Public Works submitting Amendment #3 to Contract CE1500375 with Turner-Ozanne for additional design-build services for rehabilitation of the Huntington Park Garage to change the scope of services and the terms, effective 11/16/2016 and for additional funds in the amount of \$5,209,082.00. The original contract was approved by BC2015-944 on December 7, 2015 in the amount of \$500,000.00. Amendment 1 was approved by Council under R2015-0274 on January 12, 2016 bringing the contract total to \$4,500,000.

Amendment 2 (GMP Amendment) was approved by Council under R2016-0064 on April 12, 2016 bringing the contract total to \$17,502,611.

A. Scope of Work Summary

1. Department of Public Works requesting approval of a contract amendment with Turner-Ozanne A Joint Venture for the not-to-exceed amount of \$5,209,082. The start date of the amendment is November 16, 2016 and end date is December 31, 2017.
2. The primary goal of the project is to rehabilitate the Huntington Park Garage. The amendment is to address the addition of ADA improvements to the garage and the elevator connecting the garage and the Old Courthouse. In addition, the amendment includes increased costs related to hotel requests and unforeseen conditions related to concrete repair and electrical code upgrades.
3. N/A.

B. Procurement:

1. The procurement method for this project was an RFQ (RQ35765). The total value of the RFP is anticipated to be \$22,711,693.
2. The RFP was closed on November 30, 2015. The SBE goal was 25% consistent with the Convention Center and Hotel projects.
3. There were 2 proposals submitted for review and 1 proposal approved.

C. Contractor and Project Information

1. The address is:
Turner-Ozanne A Joint Venture
1422 Euclid Avenue, Suite 1400
Cleveland, Ohio 44115
Council District 7
2. The Vice President and General Manager of Turner Construction is Jason M. Jones. The President of Ozanne Construction Company is Dominic Ozanne.
- 3a. The location of the project is Huntington Park Garage.
- 3b. The project is in Council District 7.

D. Project Status & Planning

1. This amendment is the extension of an existing project.
2. N/A.
3. This project is on a critical path in order to maintain the construction schedule.

4. N/A
5. N/A.

E. Funding

1. The project is 94% by the General Fund and 6% by the Hotel Fund.
2. The schedule of payments is monthly by invoice.
3. This is an amendment to the contract. This changes the value of the contract and is the third amendment to the contract.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0198

Sponsored by: County Executive Budish/Department of Law/Division of Risk Management	A Resolution making an award on RQ37936 to Hylant Group, Inc. in the amount not-to-exceed \$1,445,000.00 for insurance brokerage and risk management services for the period 1/1/2017 - 12/31/2017; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Law/Division of Risk Management has recommended an award on RQ37936 to Hylant Group, Inc. in the amount not-to-exceed \$1,445,000.00 for insurance brokerage and risk management services for the period 1/1/2017 - 12/31/2017; and,

WHEREAS, the County desires to engage a risk management and insurance brokerage firm to provide expert risk management and brokerage services; and,

WHEREAS, the Hylant Group, Inc. will be utilizing the Pinkney-Perry Insurance Agency, Inc. as its SBE partner; 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 RQ37936 to Hylant Group, Inc. in the amount not-to-exceed \$1,445,000.00 for insurance brokerage and risk management services for the period 1/1/2017 - 12/31/2017.

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,

Department

Department of Law- Risk Management Division

Describe the goods or services to be procured.

Insurance Brokerage and Risk Management Consultant Services

Problem Statement

The County is seeking insurance brokerage and all risk management services to cover the County's real properties and assets, as well as to provide strategic risk consulting services designed to reduce the County's exposure to liability and loss associated with, but not limited to, the above referenced operations.

The County currently carries miscellaneous liability insurance coverages in addition to real property insurance. The vendor will procure coverages held by the County, including the following coverages: property and casualty, crime & dishonesty, directors & officers, errors & omissions, specialty general liability, aviation, cyber, and miscellaneous in-land marine policies.

Analysis**Project Description**

Hylant shall perform insurance brokerage and professional risk management consulting services within the following three (3) primary categories:

- a) Handle the liability, property and/or casualty portfolio of Cuyahoga County;
- b) Perform a full range of risk management consultant services for Cuyahoga County; and
- c) Provide alternative or innovative means for improving the County's insurance and risk management programs.

Recommendations**Financials**

Funds Have Been Budgeted For 2017 Thru The MI511410 Code In The Amount of \$1,445,000.

Total Cost

\$1,445,000

Was the specific project funding included in OBM-approved budget for the current year?

Y

Contract Start Date

01/01/2017

Contract End Date

12/31/2017

Project Location(s)

Multiple County Locations

Project Council District(s)

Procurement Type

RFQ

Vendor Name(s)

Hylant Group, LLC

Willis Towers Watson

Taylor Oswald

Funding Source

General Fund: \$560,122

HHS Levy: \$884,878

To DEPT: 9/13/16
 FROM DEPT:

Office of Procurement and Diversity Tabulation Sheet

REQUISITION NUMBER: LA-16-37936 CONTRACT PERIOD: to CCBB: Low Non-CCBB Bid\$: N/A *PRICE PREFERENCE LOWEST BID REC'D \$ N/A
 RFB/RFP/RFQ DUE DATE: September 9, 2016 NUMBER OF RESPONSES: 12/3 Add 2%, Total Is: RANGE OF LOWEST BID REC'D \$
 TYPE: (RFB/RFP/RFQ): RFQ (Formal) ESTIMATE: \$1,500,000.00 Minus \$, = PRICE PREF % & \$ LIMIT:
 REQUESTING DEPARTMENT: Department of Law - Division of Risk Management SBE GOAL: 10% Does CCBB Apply: Yes No N/A MAX SBE PRICE PREF \$
 COMMODITY DESCRIPTION: Insurance Brokerage & R/M Consultant Services DOES PRICE PREFERENCE APPLY? Yes No N/A

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review:	Price Preference	CCBB Registered	SBE:	Dept. Tech. Review	Award: (Y/N)
1.	Hylant - Cleveland 6000 Freedom Square Drive, Suite 400 Independence, OH 44131			Compliant: <input checked="" type="checkbox"/> Yes JE 9/12/16 IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-3211 MCF: <input checked="" type="checkbox"/> Yes NCA: <input checked="" type="checkbox"/> N/A PH: <input checked="" type="checkbox"/> Yes POF: <input checked="" type="checkbox"/> N/A CCBB:	<input type="checkbox"/> Yes <input type="checkbox"/> No N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No N/A	SBE Subcontractor Name: <i>AT&T Pinkney Perry Insurance Agency 15%</i> SBE Prime: (Y/N) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Total SBE % <i>15%</i> SBE Comply: (Y/N) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No SBE Comments and Initials: <i>OK 9/12/16 NW 9/12/16</i> SBE Subcontractor Name: SBE Prime: (Y/N) <input type="checkbox"/> Yes <input type="checkbox"/> No	<i>9/100</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Transaction ID: 480039
 Pg 1 of 3

Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review:	Price Preference	CCBB Registered	SBE:	Dept. Tech. Review	Award: (Y/N)
			<input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> N/A			Total SBE % SBE Comply: (Y/N) <input type="checkbox"/> Yes <input type="checkbox"/> No SBE Comments and Initials:		
2. Taylor Oswald LLC 1100 Superior Avenue East, Suite 1330 Cleveland, OH 44114			Compliant: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <i>JE 9/12/16</i> IG Registration Complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IG Number: 12-3407 MCF: <input checked="" type="checkbox"/> Yes NCA: <input checked="" type="checkbox"/> N/A PH: <input checked="" type="checkbox"/> Yes POF: <input checked="" type="checkbox"/> N/A CCBB: <input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>N/A</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>N/A</i>	SBE Subcontractor Name: <i>W Allegro Real Estate + Advisors</i> SBE Prime: (Y/N) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Total SBE % <i>10%</i> SBE Comply: (Y/N) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No SBE Comments and Initials: <i>WJM 9/12/16 DMJ 9/12/16</i> SBE Subcontractor Name: SBE Prime: (Y/N) <input type="checkbox"/> Yes <input type="checkbox"/> No Total SBE % SBE Comply: (Y/N) <input type="checkbox"/> Yes <input type="checkbox"/> No SBE Comments and Initials:	<i>79/100</i>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Willis Towers Watson 1001 Lakeside Ave, Suite 1600 Cleveland, OH 44114			Compliant: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <i>JE 9/12/16</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>N/A</i>	<input type="checkbox"/> Yes <input type="checkbox"/> No <i>N/A</i>	SBE Subcontractor Name: <i>WF Studios Graphique 10</i> SBE Prime: (Y/N) <input type="checkbox"/> Yes <input type="checkbox"/> No Total SBE % SBE Comply: (Y/N) <input type="checkbox"/> Yes <input type="checkbox"/> No SBE Comments and Initials:		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Transaction ID: 480039

Pg 2 of 3

Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review:	Price Preference	CCBB Registered	SBE:	Dept. Tech. Review	Award: (Y/N)
			<input type="checkbox"/> N/A IG Registration Complete: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IG Number: MCF: <input checked="" type="checkbox"/> Yes NCA: <input checked="" type="checkbox"/> N/A PH: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A POF: <input checked="" type="checkbox"/> N/A CCBB: <input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> N/A			SBE Prime: (Y/N) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Total SBE % <u>10%</u> SBE Comply: (Y/N) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No SBE Comments and Initials: <u>sum 9/12/16 dms 9/12/16</u> SBE Subcontractor Name: SBE Prime: (Y/N) <input type="checkbox"/> Yes <input type="checkbox"/> No Total SBE % SBE Comply: (Y/N) <input type="checkbox"/> Yes <input type="checkbox"/> No SBE Comments and Initials:	<u>8.2/100</u>	<u>N</u>

[Handwritten Signature]
10-11-16

Transaction ID: 480039
Pg 3 of 3

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0199

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an amendment to Agreement No. AG1400087-01 with Educational Service Center of Cuyahoga County for fiscal and administrative services for the Help Me Grow Bright Beginnings Home Visiting Program for the period 7/1/2014 - 6/30/2016 to extend the time period to 9/30/2016 and for additional funds in the amount not-to-exceed \$470,438.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an amendment to Agreement No. AG1400087-01 with Educational Service Center of Cuyahoga County for fiscal and administrative services for the Help Me Grow Bright Beginnings Home Visiting Program for the period 7/1/2014 - 6/30/2016 to extend the time period to 9/30/2016 and for additional funds in the amount not-to-exceed \$470,438.00; and

WHEREAS, the primary goals of this project are to: (a) implement and maintain a coordinated, community-based infrastructure that promotes family-centered services for expectant parents, newborns, infants, toddlers and their respective families and (b) support commitments to family and child well-being; and

WHEREAS, the project is funded 100% by Health and Human Services Levy funds; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes an amendment to Agreement No. AG1400087-01 with Educational Service Center of Cuyahoga County

for fiscal and administrative services for the Help Me Grow Bright Beginnings Home Visiting Program for the period 7/1/2014 - 6/30/2016 to extend the time period to 9/30/2016 and for additional funds in the amount not-to-exceed \$470,438.00.

SECTION 2. To the extent an exemption from competitive bidding is needed, it is hereby granted.

SECTION 3. That the County Executive is authorized to execute the amendment and all other documents consistent with this Resolution.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

Item No. 3

1b. Why is the contract amendment being submitted late?

We recently met with the Office of Budget Management regarding this contract and we were advised to issue a contract amendment instead of new contract for this service and time frame.

1c. What is being done to prevent this from reoccurring?

We have come to an understanding with OBM to bring issues to them in advance so they can provide feedback and direction sooner.

2. Estimated Dollar Value. For amendments, please enter original contracted time period and amount and all previous amendment history (time periods, amounts), if any.)

AG1400087

R2014-0146 Original Contract - July 1, 2014 to June 30, 2016 – \$2,495,056.00CPB2015-150 Amendment – July 1, 2014 to June 30, 2016-Scope and Budget adjustments only Pending - BOC2016-287 - Scope and line item change.

3. Funding Source(s) including percentage breakdown. If other than General Fund, identify actual fund name.

100% HHS Levy

4. Was the specific project funding included in OBM-approved budget for the current year?

Yes.

5. Rationale Supporting the Use of the Selected Procurement Method

(include state contract # or GSA contract # and expiration date)

Help Me Grow is Ohio’s birth to 3 System to implement and maintain a coordinated, community-based infrastructure that promotes trans-disciplinary, family-centered services for expectant parents, newborns, infants and toddlers and their families. In Cuyahoga County the Educational Service Center of Cuyahoga County is the fiscal agent for HMG.

Again, the Educational Service Center of Cuyahoga County, a political subdivision, is the fiscal agent for HMG in Cuyahoga County

6. What other available options and/or vendors were evaluated? If none, include the reasons why.

None were evaluated as Help Me Grow most recently provided this service for the State Home Visiting Program and continues to provide this service through the County Bright Beginnings Program.

7. What ultimately led you to this product or service? Why was the recommended vendor selected?

Help Me Grow has been providing Home Visiting services in Cuyahoga County for many years. However, with State cuts making eligibility more restrictive for families, Cuyahoga County decided to expand the eligibility to ensure parents needing the service did not fall through the cracks.

Help Me Grow already had the infrastructure in place to implement the County Home Visiting Program without disruption to families

8. Provide an explanation of unacceptable delays in fulfilling the County's need that would be incurred if award was made through a competitive bid.

No competitive bid process occurs as the Educational Service Center is a government entity. However, note that Help Me Grow does conduct a Request For Proposals process to select the specific vendors to implement the Bright Beginnings Program.

9. Describe what future plans, if any, the County can take to permit competition before any subsequent purchases of the required supplies or services.

Currently, there are no future plans to permit open competition for this service. HMG is part of Ohio's birth to 3 System and to implement and maintain a coordinated, community-based infrastructure that promotes trans-disciplinary, family-centered services for expectant parents, newborns, infants and toddlers and their families. Additionally, HMG is an important piece of the Early Childhood System Invest in Children has built over the last 14 years.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0200

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the 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 Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the period 1/1/2016 - 12/31/2017; and

WHEREAS, the primary goals of this project are to: (a) promote healthy social and emotional development of young children, (b) prevent and/or provide early intervention of mental health difficulties, and (c) provide treatment of mental health conditions among very young children in the context of their families; 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 Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for the period 1/1/2016 - 12/31/2017.

Item No. 4

Department Of Health And Human Services - Division Of Community Initiatives: Office Of Early Childhood

Describe the goods or services to be procured.

-promote Healthy Social And Emotional Development Of Young Children.

-Prevention And Early Intervention Of Mental Health Difficulties.

-Treatment Of Mental Health Conditions Among Very Young Children In The Context Of Their Families.

Total Cost

\$1,339,104.00

Was the specific project funding included in OBM-approved budget for the current year?

Y

Contract Start Date

Contract End Date

Project Location(s)

COUNTY WIDE

Project Council District(s)

1

Procurement Type

GOVERNMENT / INTER-AGENCY (GOVERNMENT OUTSIDE CUYAHOGA COUNTY AUTHORITY)

Vendor Name(s)

Funding Source

HEALTH AND HUMAN SERVICES LEVY

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0201

Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council	A Resolution authorizing a contract with Starting Point in the amount not-to-exceed \$600,000.00 for the Out-of-School Time Program for the period 10/1/2016 - 1/31/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Family and Children First Council has recommended a contract with Starting Point in the amount not-to-exceed \$600,000.00 for the Out-of-School Time Program for the period 10/1/2016 - 1/31/2017; and

WHEREAS, the primary goals of this project are to: (a) provide out-of-school time services including afterschool and summer programming for children and teenager, transitional services, tutoring and professional development for youth serving workers; and

WHEREAS, this contract will be funded 100% by the Health and Human Services Levy fund; and

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

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 Starting Point in the amount not-to-exceed \$600,000.00 for the Out-of-School Time Program for the period 10/1/2016 - 1/31/2017.

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

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble.

Item No. 5

Department Of Health And Human Services - Division Of Community Initiatives: Family And Children First Council

Describe the goods or services to be procured.

Starting Point Shall Serve As The Lead Agency For Out-of-school Time Services, Which Includes Afterschool And Summer Programming For Children And Teenagers, Transition Services, Tutoring, As Well As Professional Development For Youth Serving Workers.

Research Shows That A Third Of Ohio's Children, Ages 5 To 19 Are In "Self-care" With No Adult Supervision An Average Of 5.6 Hours Per Week. The Difference Between A Student's School Week And Their Parents Work Week Can Be As Much As 25 Hours Per Week. Kindergarteners And School-aged Children Left On Their Own May Not Be Safe.

Cuyahoga County Has About 10,000 Slots For Out-of-school Time. Slots Are Government Funded (Through Other Funds Streams) And Private Pay. According To The 2010 Census Data, Cuyahoga County Has 215,469 Children Between The Ages Of 5 To 17 Years Old. This Funding Will Add An Additional 3,600 To The Existing 10,000 Slots For Parents Who Need The Service, But Cannot Afford Private Pay Programming.

Contract Period Is 10-1-2016 Through 1-31-2017.

Total Cost
\$600,000.00

Was the specific project funding included in OBM-approved budget for the current year?
Y

Contract Start Date
N/A

Contract End Date
N/A

Project Location(s)
COUNTY-WIDE

Project Council District(s)
1

Procurement Type
RFP EXEMPTION

Vendor Name(s)
Starting Point

Funding Source
HEALTH AND HUMAN SERVICES LEVY

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0137

Sponsored by: County Executive Budish/Department of Sustainability	A Resolution authorizing an Electric Service Agreement with City of Cleveland/Department of Public Utilities/ Division of Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric power services for various County-owned buildings for the period 9/1/2016 - 5/1/2028; authorizing the County Executive to execute the agreement and all other documents consistent with the agreement and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County, in cooperation with others, is developing a solar energy project on landfills comprising about 30 acres of land (the ‘Solar Project’); and

WHEREAS, Fred.Olsen Renewables USA, LLC (“FORUSA”) is developing an electrical generation project comprising of offshore wind-powered turbine-generators with an aggregate nominal generating capability of about twenty-one megawatts and related onshore electrical equipment (the “Project Icebreaker”); and

WHEREAS, Cleveland Public Power ("CPP") and FORUSA entered into a Power Purchase and Sale Agreement (“PPSA”) pursuant to which CPP will purchase a portion of the electrical output of the Project Icebreaker; and

WHEREAS, the County desires to support the Project Icebreaker by purchasing from CPP about 8.7% of the energy generated by such project; and

WHEREAS, the County desires to contract with CPP for the supply of energy for various County-owned buildings; and

WHEREAS, CPP desires to support the County’s participation in the Solar Project and Project Icebreaker by purchasing energy from both projects and including the County’s solar energy and wind energy allocation in the energy supplied by CPP to serve the County’s electricity accounts; and

WHEREAS, pursuant to County Council’s approval, the County Executive/ Department of Sustainability intends to enter into an Electric Service Agreement with Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric

power services for various County-owned buildings for the period of 9/1/2016 – 5/1/2028; and

WHEREAS, the Electric Service Agreement is funded by the General Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an Electric Service Agreement with City of Cleveland/Department of Public Utilities/Division of Cleveland Public Power in the amount not-to-exceed \$68,000,000.00 for electric power services for various County-owned buildings for the period 9/1/2016 - 5/1/2028.

SECTION 2. That the County Executive is authorized to execute the agreement and all other documents consistent with the agreement 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, 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: July 26, 2016

Committee(s) Assigned: Committee of the Whole

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0190

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing a First Amendment to Lease and Right of First Refusal Agreement with The Board of Park Commissioners of the Cleveland Metropolitan Park District for County-owned property on the Flats East and West Banks, located at 1170 Old River Road, Cleveland, for a term of 99 years, by adding Permanent Parcel No. 003-16-029 located adjacent to the intersection of Main Avenue and Center Street underneath the Cleveland Memorial Shoreway; 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 a Lease and Right of First Refusal Agreement with The Board of Park Commissioners of the Cleveland Metropolitan Park District (the “Metroparks”) to add permanent parcel number 003-16-029, located adjacent to the intersection of Main Avenue and Center Street, underneath the Cleveland Memorial Shoreway; and

WHEREAS, pursuant to Cuyahoga County Council Resolution No. R2014-0125 dated 5/27/2014, the County entered into a certain lease and right of first refusal with Metroparks for lease of certain real property (Permanent Parcel Nos. 101-13-028, 101-13-029 and 101-13-030) known as “Flats East Bank Property” and certain real property located on the West Bank of the Flats (Parcels 53 and 54 located between Permanent Parcel Nos. 003-17-009 and 003-19-015) known as “Flats West Bank Property” for an initial term of ninety-nine (99) years with two (2) renewal periods of ninety-nine (99) years each; and

WHEREAS, the primary goal of this Amendment to Lease and Right of First Refusal with the Metroparks is to add to the lease property located adjacent to the intersection of Main Avenue and Center Street, underneath the Cleveland Memorial Shoreway and known as Permanent Parcel No. 003-16-029; and

WHEREAS, the initial terms of the lease and rental rate (\$1.00 per year) will not change; 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 Lease and Right of First Refusal Agreement with The Board of Park Commissioners of the Cleveland Metropolitan Park District for County-owned property on the Flats East and West Banks, located at 1170 Old River Road, Cleveland, for a term of 99 years, by adding Permanent Parcel No. 003-16-029 located adjacent to the intersection of Main Avenue and Center Street underneath the Cleveland Memorial Shoreway.

SECTION 2. That the County Executive or his authorized designee is authorized to execute the First Amendment to Lease and Right of First Refusal Agreement with Metroparks for the same and to take all actions, exercise any options, make payments, and to execute, acknowledge, deliver and/or file for record (as and where appropriate) all 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 Lease and Right of First Refusal Agreement.

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: October 11, 2016
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC024
October 24, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0191

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing an amendment to Contract No. CE1300548-01 with Marisupham, LLC for lease of office space in the Marion Building, located at 1276 West 3 rd Street, Cleveland, for the period 12/1/2013 - 10/31/2016 to extend the time period to 10/31/2017 and for additional funds in the amount not-to-exceed \$1,108,668.60; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended an amendment to Contract No. CE1300548-01 with Marisupham, LLC for lease of office space in the Marion Building, located at 1276 West 3rd Street, Cleveland, for the period 12/1/2013 - 10/31/2016 to extend the time period to 10/31/2017 and for additional funds in the amount not-to-exceed \$1,108,668.60; and

WHEREAS, the original Lease between the County and Weston, Inc. was approved by Council on 9/24/2013 pursuant to Resolution No. R2013-0179; and

WHEREAS, pursuant to an Assignment and Assumption Agreement dated 11/1/2013, Weston, Inc. assigned its rights and interests in the property to Marisupham, LLC; and

WHEREAS, the parties now desire to amend said Contract No. CE1300548-01 for lease of space at the Marion Building (floors 1, 2, 4, 5 and 6) located at 1276 West 3rd Street, Cleveland, and exercise the one-year renewal option; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1300548-01 with Marisupham, LLC for lease of office

First Reading/Referred to Committee: October 11, 2016
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC024
October 24, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0179

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution declaring that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-00.67 over French Creek in the City of North Olmsted; total estimated project cost \$756,000.00; 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 an agreement of cooperation with said municipality in connection with said project; 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 that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-00.67 over French Creek in the City of North Olmsted; and

WHEREAS, the estimated project cost is \$756,000.00; and

WHEREAS, this project will be funded as follows: (a) 76% or \$579,600.00 from the County's Road and Bridge fund and (b) 24% or \$176,400.00 from the City of North Olmsted; and

WHEREAS, that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and

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

WHEREAS, the location of the project is Bradley Road Culvert C-00.67 over French Creek in the City of North Olmsted in Council District 1; and

WHEREAS, the anticipated start date for construction of this project is 2017; and

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

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

SECTION 1. That the Cuyahoga County Council hereby declares that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-00.67 over French Creek in the City of North Olmsted; total estimated project cost \$756,000.00.

SECTION 2. That special assessments are not to be levied nor collected to pay for any part of the County's cost of this improvement.

SECTION 3. That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents with the City of North Olmsted in connection with this project.

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: September 27, 2016
Committee Assigned: Public Works, Procurement & Contracting

Committee Report/Second Reading: October 11, 2016

Journal CC024
October 24, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0180

Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer	A Resolution declaring that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-05.44 over Walker Ditch in the City of Westlake; total estimated project cost \$581,000.00; 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 an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/ Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-05.44 over Walker Ditch in the City of Westlake; and

WHEREAS, the estimated project cost is \$581,000.00; and

WHEREAS, this project will be funded as follows: (a) 76% or \$445,400.00 from the County's Road and Bridge fund and (b) 24% or \$135,600.00 from the City of Westlake; and

WHEREAS, that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and

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

WHEREAS, the location of the project is Bradley Road Culvert C-05.44 over Walker Ditch in the City of Westlake in Council District 1; and

WHEREAS, the anticipated start date for construction of this project is 2018; and

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

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

SECTION 1. That the Cuyahoga County Council hereby declares that public convenience and welfare requires culvert replacement of Bradley Road Culvert C-05.44 over Walker Ditch in the City of Westlake; total estimated project cost \$581,000.00.

SECTION 2. That special assessments are not to be levied nor collected to pay for any part of the County's cost of this improvement.

SECTION 3. That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents with the City of Westlake in connection with this project.

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: September 27, 2016
Committee Assigned: Public Works, Procurement & Contracting

Committee Report/Second Reading: October 11, 2016

Journal CC024
October 24, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0181

Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer	A Resolution declaring that public convenience and welfare requires culvert replacement of Lindbergh Boulevard Culvert C-00.93 over a creek to West Branch of Rocky River in the City of Olmsted Falls; total estimated project cost \$744,000.00; 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 an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/ Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires culvert replacement of Lindbergh Boulevard Culvert C-00.93 over a creek to West Branch of Rocky River in the City of Olmsted Falls; and

WHEREAS, the anticipated project cost is \$744,000.00; and

WHEREAS, this project will be funded as follows: (a) 76% or \$570,400.00 from the County's Road and Bridge fund and (b) 24% or \$297,600.00 from the City of Olmsted Falls; and

WHEREAS, that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and

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

WHEREAS, the location of the project is Lindbergh Boulevard Culvert C-00.93 over a creek to West Branch of Rocky River in the City of Olmsted Falls; and

WHEREAS, the anticipated start date for construction of this project is 2018; and

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

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

SECTION 1. That the Cuyahoga County Council hereby declares that public convenience and welfare requires culvert replacement of Lindbergh Boulevard Culvert C-00.93 over a creek to West Branch of Rocky River in the City of Olmsted Falls; total estimated project cost \$744,000.00.

SECTION 2. That special assessments are not to be levied nor collected to pay for any part of the County's cost of this improvement.

SECTION 3. That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents with the City of Olmsted Falls in connection with this project.

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: September 27, 2016
Committee Assigned: Public Works, Procurement & Contracting

Committee Report/Second Reading: October 11, 2016

Journal CC024
October 24, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0184

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution approving Right-of-Way plans as set forth in Plat No. M-5025 for reconstruction with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; 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 approval of Right-of-Way plans as set forth in Plat No. M-5025 for reconstruction with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton; and

WHEREAS, in Resolution No. 094303 adopted on 10/15/2009, the Board of County Commissioners declared that public convenience and welfare requires reconstruction with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton, Council District 5; and

WHEREAS, the current estimated project cost is \$12,207,500.00, which will be funded as follows: (a) 80% Federal, (b) 12% Issue I, (c) 4% County Road and Bridge and (d) 4% City of North Royalton; and

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

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

SECTION 1. That the Cuyahoga County Council hereby approves Right-of-Way plans as set forth in Plat No. M-5025 for reconstruction with additional turning lanes of Royalton Road from West 130th Street to York Road in the City of North Royalton.

Clerk of Council

Date

First Reading/Referred to Committee: September 27, 2016
Committee Assigned: Public Works, Procurement & Contracting

Committee Report/Second Reading: October 11, 2016

Journal CC024
October 24, 2016

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0012

Sponsored by: County Executive Budish/Department of Human Resources	An Ordinance amending Section 303.01 of the Cuyahoga County Code to update the Civil Service Code of Cuyahoga County, as amended; and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Article IX of the Charter of Cuyahoga County creates a Personnel Review Commission that shall be responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness; and

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

WHEREAS, the County's current Civil Service System is codified in Chapter 124 of the Ohio Revised Code, Chapter 123:1 of the Ohio Administrative Code, the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and

WHEREAS, Section 2.10 of the Cuyahoga County Personnel Policies and Procedures Manual (Ordinance Nos. O2011-0015 and O2011-0028) states that the employment of all classified County employees is subject to the provisions of the Ohio Revised Code (Chapter 124), the Ohio Administrative Code (Chapter 123:1), the Cuyahoga County Administrative Rules and the Policies and Procedures Manual; and

WHEREAS, Section 301.23 of the Ohio Revised Code authorizes a charter-created county civil service commission to create a new system for employment with the county on the basis of merit and fitness, as ascertained by competitive examination; and

WHEREAS, the amendments proposed are designed to create pay equity for County employees performing similar duties; and

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

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

SECTION 1. Council hereby adopts the following changes to Section 303.01 of the Cuyahoga County Code (added language underlined; deleted language in ~~strikethrough~~; sub-sections that are either deleted or remain in their entirety are noted in *italics* and parentheses):

Section 303.01 Incorporation and amendment of relevant ORC/OAC civil service provisions

A. ~~The following Sections of Chapter 124 of the Ohio Revised Code are hereby amendment as they apply to County employees. All sections of **Ohio Revised Code Chapter 124 and Ohio Administrative Code Chapter 123:1** applicable to **employees of Ohio counties** that are not specifically amended or superseded by this Chapter ~~303~~, **the Administrative Rules of the Personnel Review Commission as ratified and adopted by Council, and the County Personnel Policies and Procedures Manual as adopted by Council** remain in full effect in their entirety. In the event a conflict between the Administrative Rules of the Personnel Review Commission and Title 3, Employment Practices, the Code shall prevail. Substantive changes to the Ohio Revised Code and/or the Administrative Code as may apply to the County shall be made only through ordinance. **In the event a conflict between this Title and a collective bargaining agreement, the collective bargaining agreement shall prevail.**~~

~~124.14 Job Classification Pay Ranges.~~

~~(A)(1) The Personnel Review Commission shall establish, and may modify or rescind, subject to approval by County Council, a job classification plan in accordance with the requirements of Section 9.04 of the Cuyahoga County Charter and Chapter 305 of this Code. The Commission shall group jobs within a classification so that the positions are similar enough in duties and responsibilities to be described by the same title, to have the same pay assigned with equity, and to have the same qualifications for selection applied. The Commission shall assign a classification title to each classification within the classification plan. However, the Commission shall consider in establishing classifications, including classifications with parenthetical titles, and assigning pay ranges, such factors as duties performed only on one shift, special skills in short supply in the labor market, recruitment problems, separation rates, comparative salary rates, the amount of training required and other conditions affecting employment. The Commission shall describe the duties and responsibilities of the class, and establish the qualifications for being employed in each position in the class. The Commission shall assign each classification to an equitable pay range.~~

~~(2) The Director may reassign to a proper classification those positions and/or employees have been assigned to an improper classification. The Director may also assign a proper classification to a County employee who qualifies for a classification but has not previously been assigned to one. If a reassignment or assignment occurs, the employee shall be placed in an equitable pay step in the applicable pay range for the new classification. Determination of the equitable pay step shall be based on the review of the employee's relative skill level, education and experience as compared to the employees currently existing in the classification.~~

~~(3) (Deleted in its entirety)~~

~~(4) The Commission shall subject to approval by County Council, assign related classifications, which form a career progression, to a classification series. The Commission shall, subject to approval by County Council, assign each classification in the classification plan a five digit number, the first four digits of which shall denote the classification series to which the classification is assigned. When a career progression encompasses more than ten classifications, the Commission shall, subject to approval by County Council, identify the additional classifications belonging to a classification series. The additional classifications shall be part of the classification series, notwithstanding the fact that the first four digits of the number assigned to the additional classifications do not correspond to the first four digits of the number of the assigned to other classification in the classification series.~~

~~(5) (Deleted in its entirety)~~

~~(B) Division (A) of this section only applies to those positions identified in Section 9.03 of the Charter.~~

~~(1) (Deleted in its entirety)~~

~~(2) (Deleted in its entirety)~~

~~(3) (Deleted in its entirety)~~

~~(4) (Deleted in its entirety)~~

~~(5) (Deleted in its entirety)~~

~~(C) (Retained in its entirety)~~

B. Classification Plan.

(1) The Personnel Review Commission shall administer, subject to approval by County Council, a clear, countywide classification and salary administration system in accordance with the requirements of Section 9.03 of the Cuyahoga

County Charter. The Commission shall group positions within a classification so that the positions are similar enough in duties and responsibilities to be described by the same title, to have the same pay assigned with equity, and to have the same qualifications for selection applied. The Commission shall recommend a classification title for each classification within the classification plan. The Commission shall consider in recommending classifications and equitable pay grades, those factors deemed compensable by the County. The Commission shall describe the duties and responsibilities of the class in proposed classifications specifications, and recommend to County Council the qualifications for each position in the class.

(2) The Commission shall, subject to approval by County Council, assign related classifications that form a career progression to a classification series, and shall assign each series to a job family.

(3) Classification Plan Maintenance. When, the Personnel Review Commission recommends and Council determines to change the pay grade assigned to an existing classification or create a new classification, the Director of Human Resources is authorized to set the pay of affected employees, if any. Determination of pay shall not be arbitrary or capricious, or based on nepotism, political affiliation or any other factor that violates the Code of Ethics codified in Title 4 or any other County, state or federal law. Individual pay determinations shall be based on relevant factors, including direct experience performing the job functions, qualifications, the labor market, the pay of other employees assigned to the same classification, and any other factors deemed by the Director of Human Resources to be relevant to the individual case, with the relative importance of all factors to be as determined by the Director to be the most appropriate for the individual case. If funds are available, any pay rate change resulting from this process may be implemented no later than the first full pay period of the following calendar year, unless the Executive determines, in his/her discretion, to implement the change earlier. Pay determinations by the Director under this section that do not result in a reduction in pay shall not be subject to appeal.

C. Position Audits.

(1) The Director of Human Resources may initiate a position audit and, based on the results of the audit, may reassign any employee to the proper classification, as long as the employee is performing the essential job functions of the classification identified by the Director at least fifty percent (50%) of his/her time for a minimum of one hundred and twenty (120) consecutive calendar days and the employee meets the minimum qualifications for the classification.

(2) Upon the request of any non-bargaining, non-probationary classified employee, the Director of Human Resources shall perform a position audit to review the employee's position for the sole purpose of determining whether the employee is properly assigned to his/her classification and, if not, to identify the

proper classification. The Director of Human Resources shall give to the affected employee and to the employee's appointing authority a written notice of the Director's determination. Reassignment may only occur if the employee continues to perform essential job functions that are exclusive to another classification at least fifty percent (50%) of his/her time for a minimum of one hundred twenty (120) calendar days, and the employee meets the minimum qualifications for the classification. An employee may not request a position audit more than once in a twelve (12)-month rolling period unless approved the Director.

(3) An employee who has been reassigned to a different classification through the position audit process is not required to serve a new probationary period.

(4) Employees must meet the minimum qualifications of a classification to be assigned to that classification through the position audit process. The Personnel Review Commission shall, on a regular basis, audit final determinations on position audits to verify whether the employee meets the minimum qualifications for the classification to which he/she was reassigned.

(5) If an employee is reassigned to a different classification through the position audit process referred to in subsections (C)(1) and (C)(2), such placement may result in the employee being reassigned to a classification in the same pay grade, a lower pay grade, or a higher pay grade. If the employee is reassigned to a classification with the same pay grade, the employee's salary shall not change. If the employee is reassigned to a classification with a lower pay grade, the employee's pay may be decreased by up to five percent (5%), or set at the new pay grade's maximum rate, whichever pay decrease is greater, and the pay decrease shall not be retroactive. If the employee is reassigned to a classification with a higher pay grade, the employee's pay may be increased by up to five percent (5%), or set at the new pay grade's minimum rate, whichever is greater, and the pay increase shall be retroactive to the first pay period following the date the audit was requested. Pay determinations of the Director under this section shall not be arbitrary or capricious. Individual pay determinations shall be based on relevant factors, including direct experience performing the job functions, qualifications, the labor market, funding, and the pay of other employees assigned to the same classification, and any other factors deemed by the Director of Human Resources to be relevant to the individual case, with the relative importance of all factors to be determined by the Director to be the most appropriate for the individual case.

(6) In lieu of reassignment pursuant to subsections (C)(1) and (C)(2), the appointing authority may choose, or the Director of Human Resources may direct the appointing authority, to remove or reduce the amount of duties that are in a classification other than the employee's, and to require the assignment of duties that are within the scope of the employee's classification, to occur no later than forty-five (45) calendar days from the date of the determination. In such case, the employee shall be compensated with up to a five percent (5%) pay increase for the temporary performance of duties in a higher-paying classification. This pay

increase shall be calculated from the first full pay period following the date the audit was requested through the date the employee's duties were changed. If following the forty-five (45) calendar-day period the employee believes that he/she is still performing job duties of a different classification at least fifty percent (50%) of his/her time, the Commission shall determine whether the employee has been compensated for the performance of the duties in the higher classification, and may order that the duties be removed within a particular time frame and that the employee be compensated.

(7) If an employee is assigned or reassigned to a classification through exercise of powers granted to the Director of Human Resources in subsections (C)(1), (C)(2), or (D), the Director shall give the affected employee and the employee's appointing authority written notice setting forth the Director's determination. If the assignment or reassignment results in a salary reduction, the affected employee shall be offered an opportunity to meet with the Director or designee prior to the determination becoming final. Subsequent to this meeting, or the employee's waiver of this meeting, the Director shall provide the employee and the employee's appointing authority written notice of the Director's final determination. Determination letters may be sent to employees by electronic mail to the employees' County e-mail addresses.

(8) Following a final determination of the Director of Human Resources pursuant to Subsections (C)(1), (C)(2), or (D), a non-bargaining, non-probationary employee may file a written appeal with the Personnel Review Commission in accordance with the Personnel Review Commission's Administrative Rules. Employee's may also file an appeal to the limited extent authorized by (C)(6).

(9) Following a determination by the Commission that a non-bargaining, non-probationary employee is performing the essential job functions exclusive to a different classification at least fifty percent (50%) of the time, in lieu of reassignment the appointing authority may choose, or the Director of Human Resources may direct the appointing authority, to remove or reduce duties as provided for in Subsection (C)(6) above.

(10) Assignment of Current Employees Who Were Not Previously Classified. The Director of Human Resources may assign a County employee who has not previously been assigned to a classification in the classification plan. An employee who has received an assignment pursuant to this Subsection is not required to serve a new probationary period.

D. To ensure pay equity for like positions, the Personnel Review Commission may conduct audits of final pay determinations pursuant to (B)(3), and of final pay determination made pursuant to (C)(5) where appeal rights have expired and there is no pending appeal. When such an audit is conducted, the Department of Human Resources shall provide the Commission with the rationale and supporting documentation for the Director's final pay determination. The

Commission shall provide reports on its audit findings to the Administration and County Council. Nothing in this provision shall require the Commission's audit of pay determinations within like positions to be restricted or limited solely to those employees whose pay is affected by final pay determinations as a result of maintenance of the class plan or the position audit process, but the Personnel Review Commission will not consider in its audit any employees with a pending appeal related to C (5).

~~(D)(1) When the Commission modifies a classification or the assignment of classes to appropriate pay ranges, the Commission shall review the proposed action in an open meeting. If the Commission approves of the proposed action, it shall submit the proposed action to County Council.~~

~~(2) When the Director proposes to reassign any employee or reclassify any position, as long as the reclassification does not result in a modification of the County's Class Plan, and an employee is adversely affected, the Director shall give to the employee affected and to the employee's appointing authority a written notice setting forth the proposed new classification, pay range and step, and salary. Employees shall be given advance notice of reassignment or reclassification in the manner prescribed by the Personnel Review Commission's administrative rules adopted pursuant to section 301.02 of the code. If the reassignment or reclassification results in a reduction in salary, the employee shall be offered an opportunity to meet with the Director or designee to dispute the proposed change. Subsequent to this meeting, or the employee's waiver of this meeting, the Director shall provide the employee written notice of the final decision regarding the proposed reduction. The employee may then file an appeal of the Director's final decision to the Personnel Review Commission in accordance with the process described below.~~

~~Upon the request of any classified employee who is not serving in a probationary period, the Director shall perform a job audit to review the classification of the employee's position to determine whether the position is properly classified. The Director shall give to the employee affected and to the employee's appointing authority a written notice of the Director's determination whether or not to reclassify the position. An employee desiring a hearing shall file a written request for the hearing with the Personnel Review Commission in accordance with the Personnel Review Commission's Rules.~~

~~order the reclassification of the employee and require the Director to assign the employee to such appropriate classification as the facts and evidence warrant. As provided in division (A)(1) of section 124.03 of the Revised Code, the Commission may determine the most appropriate classification for the position of any employee coming before the board, with or without a job audit. The Commission shall disallow any reclassification or reassignment classification of any employee when it finds that changes have been made in the duties and responsibilities of any particular employee for political, religious, or other unjust reasons. fifty5~~

~~(E) (Deleted in its entirety)~~

~~(F) (Deleted in its entirety)~~

~~(G) (Deleted in its entirety)~~

~~(H) (Deleted in its entirety)~~

~~(I) The Director shall set the rate of compensation for all intermittent, seasonal, temporary, emergency, and casual employees in the service of the County who are not considered public employees under section 4117.01 of the Revised Code.~~

124.34 - Reduction in Pay or Position - Suspension - Removal.

(A) The tenure of every officer or employee in the classified service of the state and the counties, civil service townships, cities, city health districts, general health districts, and city school districts of the state, holding a position under this chapter, shall be during good behavior and efficient service. No officer or employee shall be reduced in pay or position, fined, suspended, or removed except as provided in section 124.32 of the Revised Code, and for incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of any policy or work rule of the officer's or employee's appointing authority, violation of this chapter or the rules of the director of administrative services or the commission, any other failure of good behavior, any other acts of misfeasance, malfeasance, or nonfeasance in office, or conviction of a felony. The denial of a one-time pay supplement or a bonus to an officer or employee is not a reduction in pay for purposes of this section.

This section does not apply to any modifications or reductions in pay authorized by division (A)(2) of Section 124.14, division (O) of section 124.181 or section 124.392 or 124.393 of the Revised Code.

An appointing authority may require an employee who is suspended to report to work to serve the suspension. An employee serving a suspension in this manner shall continue to be compensated at the employee's regular rate of pay for hours worked. The disciplinary action shall be recorded in the employee's personnel file in the same manner as other disciplinary actions and has the same effect as a suspension without pay for the purpose of recording disciplinary actions.

A finding by the appropriate ethics commission, based upon a preponderance of the evidence, that the facts alleged in a complaint under section 102.06 of the Revised Code constitute a violation of Chapter 102, section 2921.42, or section 2921.43 of the Revised Code may constitute grounds for dismissal. Failure to file a statement or falsely filing a statement required by section 102.02 of the Revised Code may also constitute grounds for dismissal. The tenure of an employee in the career professional

service of the department of transportation is subject to section 5501.20 of the Revised Code.

Conviction of a felony is a separate basis for reducing in pay or position, suspending, or removing an officer or employee, even if the officer or employee has already been reduced in pay or position, suspended, or removed for the same conduct that is the basis of the felony. An officer or employee may not appeal to the state personnel board of review or the commission any disciplinary action taken by an appointing authority as a result of the officer's or employee's conviction of a felony. If an officer or employee removed under this section is reinstated as a result of an appeal of the removal, any conviction of a felony that occurs during the pendency of the appeal is a basis for further disciplinary action under this section upon the officer's or employee's reinstatement.

A person convicted of a felony immediately forfeits the person's status as a classified employee in any public employment on and after the date of the conviction for the felony. If an officer or employee is removed under this section as a result of being convicted of a felony or is subsequently convicted of a felony that involves the same conduct that was the basis for the removal, the officer or employee is barred from receiving any compensation after the removal notwithstanding any modification or disaffirmance of the removal, unless the conviction for the felony is subsequently reversed or annulled.

Any person removed for conviction of a felony is entitled to a cash payment for any accrued but unused sick, personal, and vacation leave as authorized by law. If subsequently reemployed in the public sector, the person shall qualify for and accrue these forms of leave in the manner specified by law for a newly appointed employee and shall not be credited with prior public service for the purpose of receiving these forms of leave.

As used in this division, "felony" means any of the following:

- (1) A felony that is an offense of violence as defined in section 2901.01 of the Revised Code;
- (2) A felony that is a felony drug abuse offense as defined in section 2925.01 of the Revised Code;
- (3) A felony under the laws of this or any other state or the United States that is a crime of moral turpitude;
- (4) A felony involving dishonesty, fraud, or theft;

(5) A felony that is a violation of section 2921.05, 2921.32, or 2921.42 of the Revised Code.

(B) In case of a reduction, a suspension of more than forty work hours in the case of an employee exempt from the payment of overtime compensation, a suspension of more than twenty-four work hours in the case of an employee required to be paid overtime compensation, a fine of more than forty hours' pay in the case of an employee exempt from the payment of overtime compensation, a fine of more than twenty-four hours' pay in the case of an employee required to be paid overtime compensation, or removal, except for the reduction or removal of a probationary employee, the appointing authority shall serve the employee with a copy of the order of reduction, fine, suspension, or removal, which order shall state the reasons for the action.

An employee may appeal such order in accordance with the Rules set forth by the Personnel Review Commission. If an appeal is filed, the Personnel Review Commission shall forthwith notify the appointing authority and shall hear, or appoint a hearing officer to hear, the appeal. The Personnel Review Commission may affirm, disaffirm, or modify the judgment of the appointing authority. However, in an appeal of a removal order based upon a violation of a last chance agreement, the Personnel Review Commission may only determine if the employee violated the agreement and thus affirm or disaffirm the judgment of the appointing authority.

Either the employee or the appointing authority may appeal the decision of the Personnel Review Commission to the Cuyahoga County Court of Common Pleas in accordance with general law.

(C) (Deleted in its entirety)

(D) A violation of division (A)(7) of section 2907.03 of the Revised Code is grounds for termination of employment of a nonteaching employee under this section.

(E) As used in this section, "last chance agreement" means an agreement signed by both an appointing authority and an officer or employee of the appointing authority that describes the type of behavior or circumstances that, if it occurs, will automatically lead to removal of the officer or employee without the right of appeal to the state personnel board of review or the appropriate commission.

~~B. — 1. OHIO ADMINISTRATIVE CODE — The following section of Chapter 123:1 of the Ohio Administrative Code is hereby amended as it applies to County employees. All sections in Chapter 123:1 applicable to Ohio counties that are not specifically identified in bold below remain in full effect in their entirety.~~
~~123:1-7-22 — Reassignments by the Director of Human Resources~~

~~The Director may reassign to a proper classification those positions and/or employees that have been assigned to an improper classification. The Director may also assign a proper classification to a County employee who qualifies for classification but has not previously been assigned to one. If a reassignment or new assignment occurs, the employee shall be placed in an equitable pay step in the applicable pay range for the new classification. Determination of the equitable pay step shall be based on a review of the employee's relative skill level, education and experience as compared to the employees currently existing in the classification. Such placement may result in the employee maintaining their current salary, or may result in an increase or reduction in salary.~~

~~If the reclassification results in a reduction in salary, the employee shall be offered an opportunity to meet with the Director or designee to dispute the proposed change. Subsequent to this meeting, or the employee's waiver of this meeting, the Director shall provide the employee written notice of the final decision regarding the proposed reduction. The employee may then file an appeal of the Director's final decision to the Personnel Review Commission in accordance with the Commission's rules.~~

~~(B) (Deleted in its entirety)~~

~~(C) (Deleted in its entirety)~~

~~2. — CUYAHOGA COUNTY ADMINISTRATIVE RULES — The following section of the Cuyahoga County Administrative Rules is hereby amended. All sections in the Cuyahoga County Administrative Rules that are not specifically identified in bold below remain in full effect in their entirety.~~

~~—— Rule No. 3 — Position Audits~~

~~The Director of Human Resources may initiate a position audit and reassign to a proper classification those positions and/or employees that have been assigned to an improper classification. The Director may also assign a proper classification to a County employee who qualifies for classification but has not previously been assigned to one.~~

~~Non-probationary, non-bargaining, classified employees who believe that their duties have changed significantly and feel that their classification is no longer appropriate may request a position audit. An employee wishing to initiate a position audit shall submit their request in writing to the Director of Human Resources. Upon receipt of the employee's request, or upon request of the Director of Human Resources, Human Resources shall forward a Comprehensive Position Questionnaire (CPQ) to the employee for completion. The CPQ will be accompanied by a cover letter and instructions for completing the CPQ. The cover letter will also be sent to the employee's Department Director.~~

~~The employee shall return the completed CPQ forms to Human Resources within thirty (30) days of receipt. The employee may request in writing to the Director of Human~~

~~Resources a onetime extension of time in which to complete the CPQ. The deadline, however, may not be extended beyond thirty (30) days after the original due date.~~

~~Human Resources will review all submitted information and will make a determination as to the appropriate classification. To meet the classification criteria, an employee must perform the mandatory duties stated in the classification function at least 20% of the time. Prior to rendering a decision on the position audit request, Human Resources reserves the right to conduct an on-site audit. Upon completion of their review, Human Resources will provide written notice of the position audit to the employee with a copy to the Department Director. If the reclassification results in a reduction in salary, the employee shall be offered an opportunity to meet with the Director or designee to dispute the proposed change. Subsequent to this meeting, or the employee's waiver of this meeting, the Director shall provide the employee written notice of the final decision regarding the proposed reduction.~~

~~The employee has the right to appeal the decision rendered by Human Resources. This must be done in writing to the Cuyahoga County Personnel Review Commission (PRC) within the time frame set forth in the Personnel Review Commission's Rules~~

~~If a reassignment or new assignment occurs, the employee shall be placed in an equitable pay step in the applicable pay range for the new classification. Determination of the equitable pay step shall be based on a review of the employee's relative skill level, education and experience as compared to the employees currently existing in the classification.~~

~~If the position audit results in no change in the employee's classification, but a change in the pay range assignment of the classification, the employee shall be placed in an equitable pay step in the applicable pay range for the new classification. Determination of the equitable pay step shall be based on a review of the employee's relative skill level, education and experience as compared to the employees currently existing in the classification.~~

~~If the position audit results in the employee receiving a higher salary, any salary adjustment will be computed retroactive to the beginning of the first pay period following the date that the written request for the position audit was received by Human Resources. If the position audit results in the employee receiving a lower salary, any salary adjustment will begin the first day of the first pay period following the date of the final decision by the Director of Human Resources. If the position audit results in the creation of a new classification and/or pay range, any salary adjustment will be effective the first pay period following approval of the new classification and/or pay range by the County (i.e., not retroactive)~~

~~If, after conducting a position audit on an employee, Human Resources becomes aware of similarly situated employees, it will reassign the other employees, effective the beginning of the first pay period following the date that the decision was rendered on behalf of the employee that had requested the audit. For purposes of this section, a~~

~~“similarly situated employee” is an employee that performs the same essential job functions and responsibilities as the audited employee. Similarly situated employees will not be entitled to retroactive pay increases.~~

~~3. CUYAHOGA COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL—The following section the Cuyahoga County Personnel Policies and Procedures Manual is hereby amended. All sections in the Cuyahoga County Personnel Policies and Procedures Manual that are not specifically identified in bold below remain in full effect in their entirety.~~

~~Section 5.09—Non-Bargaining Position Audits~~

~~The Director of Human Resources may initiate a position audit and reassign to a proper classification those positions and/or employees that have been assigned to an improper classification. The Director may also assign a proper classification to a County employee who qualifies for classification but has not previously been assigned to one.~~

~~Non-probationary, non-bargaining, classified employees who believe that their duties have changed significantly and feel that their classification is no longer appropriate may request a position audit.~~

~~An employee wishing to initiate a position audit shall submit their request in writing to the Director of Human Resources. Upon receipt of the employee’s request, or upon request of the Director of Human Resources, Human Resources shall forward a Comprehensive Position Questionnaire (CPQ) to the employee for completion. The CPQ will be accompanied by a cover letter and instructions for completing the CPQ. The cover letter will also be sent to the employee’s Department Director.~~

~~The employee shall return the completed CPQ forms to Human Resources within thirty (30) days of receipt. The employee may request in writing to the Director of Human Resources a onetime extension of time in which to complete the CPQ. The deadline, however, may not be extended beyond thirty (30) days after the original due date. Human Resources will review all submitted information and will make a determination as to the appropriate classification. To meet the classification criteria, an employee must perform the mandatory duties stated in the classification function at least 20% of the time. Prior to rendering a decision on the position audit request, Human Resources reserves the right to conduct an on-site audit. Upon completion of their review, Human Resources will provide written notice of the position audit to the employee with a copy to the Department Director. If the reclassification results in a reduction in salary, the employee shall be offered an opportunity to meet with the Director or designee to dispute the proposed change. Subsequent to this meeting, or the employee’s waiver of this meeting, the Director shall provide the employee written notice of the final decision regarding the proposed reduction.~~

~~The employee has the right to appeal the decision rendered by Human Resources. This must be done in writing to the Cuyahoga County Personnel Review Commission (PRC) within the time frame set forth in the Personnel Review Commission’s Rules.~~

~~— Employees may lose their appeal rights if their own negligence caused them to fail to receive the position audit decision from Human Resources (i.e., failure to list correct mailing address on Request for Position Audit Form or failure to sign for the certified letter).~~

~~— If a reassignment or new assignment occurs, the employee shall be placed in an equitable pay step in the applicable pay range for the new classification. Determination of the equitable pay step shall be based on a review of the employee's relative skill level, education and experience as compared to the employees currently existing in the classification.~~

~~If the position audit results in no change in the employee's classification, but a change in the pay range assignment of the classification, the employee shall be placed in an equitable pay step in the applicable pay range for the new classification. Determination of the equitable pay step shall be based on a review of the employee's relative skill level, education and experience as compared to the employees currently existing in the classification. If the position audit results in the employee receiving a higher salary, any salary adjustment will be computed retroactive to the beginning of the first pay period following the date that the written request for the position audit was received by Human Resources. If the position audit results in the employee receiving a lower salary, any salary adjustment will begin the first day of the first pay period following the date of the final decision by the Director of Human Resources. If the position audit results in the creation of a new classification and/or pay range, any salary adjustment will be effective the first pay period following approval of the new classification and/or pay range by the County (i.e., not retroactive).~~

~~If, after conducting a position audit on an employee, Human Resources becomes aware of similarly situated employees, it will reassign the other employees, effective the beginning of the first pay period following the date that the decision was rendered on behalf of the employee that had requested the audit. For purposes of this section, a "similarly situated employee" is an employee that performs the same essential job functions and responsibilities as the audited employee. Similarly situated employees will not be entitled to retroactive pay increases.~~

~~An employee may not request a position audit more than once in a twelve-month (12) rolling period unless documentation acceptable to the Director of Human Resources is provided at the time of the second request that the job has substantially changed since the date of the completion of the previous audit.~~

~~An employee who has received a classification change pursuant to this Section is not required to serve a new probationary period.~~

~~— Bargaining unit employees should refer to their collective bargaining agreement for information on position audits.~~

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: September 27, 2016

Committee Assigned: Human Resources, Appointments & Equity

Committee Report/Second Reading/Referred to Committee: October 11, 2016

Committee Assigned: Human Resources, Appointments & Equity

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