



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 29, 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) November 15, 2016 Committee of the Whole Meeting (See Page 13)
 - b) November 15, 2016 Regular Meeting (See Page 15)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. RECEIPT OF RESIGNATION FROM DISTRICT 1 COUNCILMEMBER DAVE GREENSPAN**
- 10. LEGISLATION INTRODUCED BY COUNCIL**
 - a) **CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- 1) R2016-0202: A Resolution appointing Cory Swaisgood, upon his taking the oath of office, to serve as Director of Internal Auditing of Cuyahoga County for an unexpired term ending 6/30/2020; and declaring the necessity that this Resolution become immediately effective. (See Page 29)

Sponsors: Council President Brady on behalf of County Audit Committee

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

- 1) R2016-0204: A Resolution approving The MetroHealth System's policies and procedures to participate in one or more joint purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to achieve beneficial purchasing arrangements for the year 2017, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective. (See Page 31)

Sponsors: Councilmember Germana on behalf of The MetroHealth System

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

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

- 1) O2016-0013: An Ordinance enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County Code to require violators of specified statutes of the State of Ohio's animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit registrants from adopting, harboring or acting as custodian or caretaker of a companion animal. (See Page 34)

Sponsor: Councilmember Simon

11. LEGISLATION INTRODUCED BY EXECUTIVE

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

- 1) R2016-0222: 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 38)

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

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

- 1) R2016-0223: A Resolution confirming the County Executive's reappointment of various individuals to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2017 - 12/31/2020, and declaring the necessity that this Resolution become immediately effective: (See Page 51)

- i) Gordon S. Friedman
- ii) James R. Wooley

Sponsor: County Executive Budish

- 2) R2016-0224: A Resolution authorizing an amendment to Contract No. CE0601091-01 with DLZ Ohio, Inc. for consultant engineering services for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights to change the scope of services, effective 12/13/2016, and for additional funds in the amount not-to-exceed \$538,518.00; 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 63)

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

- 3) R2016-0225: A Resolution authorizing an amendment to Contract No. CE1600075-01 with Medical Mutual of Ohio for stop loss insurance services for County employees and their eligible dependents and Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$3,285,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 67)

Sponsor: County Executive Budish/Department of Human Resources

- 4) R2016-0226: A Resolution authorizing establishment of an underwriter pool based on an evaluation of responses to RFQ36628 consisting of local financial institutions that the County may employ to assist in any public financing arrangements; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 71)
- i) KeyBanc Capital Markets
 - ii) PNC Capital Markets LLC
 - iii) Fifth Third Securities, Inc.

Sponsor: County Executive Budish/Fiscal Officer

- 5) R2016-0227: A Resolution authorizing an amendment to Contract No. CE1500235-01 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$1,939,658.00; 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 74)

Sponsor: County Executive Budish/Fiscal Officer

- 6) R2016-0228: A Resolution authorizing an amendment to Contract No. CE1500236-01 with N. Harris Computer Corporation for software licenses for the Real Property Tax

System, effective 10/1/2015, to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$805,930.00; 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 77)

Sponsor: County Executive Budish/Fiscal Officer

- 7) R2016-0229: A Resolution authorizing an amendment to Contract No. CE1500237-01 with N. Harris Computer Corporation for support and maintenance services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$337,348.00; 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 79)

Sponsor: County Executive Budish/Fiscal Officer

- 8) R2016-0230: A Resolution authorizing a contract with United Way of Greater Cleveland in the amount not-to-exceed \$1,095,450.00 for fiscal agent services for emergency food purchases for Cuyahoga County residents for the period 1/1/2017 - 12/31/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 82)

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

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2016-0206: A Resolution approving an agreement with City of Cleveland for the period 8/1/2015 - 7/31/2035 for the purpose of distributing alcohol and cigarette excise tax proceeds; 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. [Pending Committee Recommendation] (See Page 86)

Sponsor: County Executive Budish

Committee Assignment and Chair: Committee of the Whole – Brady

- 2) R2016-0207: A Resolution approving an adjustment of the municipal boundary between Orange Village and City of Pepper Pike in connection with a portion of Lander Road, and declaring the necessity that this Resolution become immediately effective. (See Page 98)

Sponsor: County Executive Budish/Department of Public Works

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

- 3) R2016-0211: A Resolution declaring that public convenience and welfare requires replacement of Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn; total estimated project cost \$3,025,000.00; 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 109)

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

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

- 4) R2016-0212: A Resolution making an award on RQ36295 to Burgess & Niple, Inc. in the amount not-to-exceed \$740,169.00 for design engineering services for improvement of Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View; 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 112)

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

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

- 5) R2016-0214: A Resolution authorizing the Director of Public Works to execute and submit a loan application in the amount of \$1,500,000.00 to Ohio Water Development Authority to finance sewer repairs in connection with the Bagley Road Water/Sewer/Resurfacing Project in Olmsted Township for the period 4/1/2017 - 10/1/2018; authorizing the County Executive to accept said loan, if approved, and to execute the agreement and all other documents required in connection with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 115)

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

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

- 6) R2016-0218: A Resolution authorizing an Economic Development Fund Redevelopment and Modernization Loan in the amount not-to-exceed \$2,500,000.00 to Detroit Shoreway Community Development Organization for the benefit of a project located at 11801-11825 Lorain Avenue in the City of 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. (See Page 118)

Sponsor: County Executive Budish/Department of Development

Committee Assignment and Chair: Community Development – Hairston

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

- 1) 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. (See Page 121)

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

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

- 2) R2016-0208: A Resolution approving the vacation of a certain portion of Warrensville Center Road to the City of Shaker Heights in connection with the Van Aken Project; authorizing the County Executive to execute all documents required in connection with said transaction; and declaring the necessity that this Resolution become immediately effective. (See Page 123)

Sponsor: County Executive Budish/Department of Public Works

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

- 3) R2016-0209: A Resolution approving the vacation of a certain portion of Warrensville Center Road to Van Aken Shopping Center, Ltd. in connection with the Van Aken Project; authorizing the County Executive to execute all documents required in connection with said transaction; and declaring the necessity that this Resolution become immediately effective. (See Page 127)

Sponsor: County Executive Budish/Department of Public Works

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

- 4) R2016-0210: A Resolution authorizing a Memorandum of Agreement with Federal Aviation Administration in connection with the Air Traffic Control Tower Land Site located at the Cuyahoga County Airport for the period 10/1/2016 - 9/30/2036; 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 132)

Sponsor: County Executive Budish/Department of Public Works

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

- 5) R2016-0213: A Resolution authorizing an agreement with Northeast Ohio Regional Sewer District in the amount not-to-exceed \$800,000.00 for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018, and declaring the necessity that this Resolution become immediately effective. (See Page 134)

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

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

- 6) R2016-0215: A Resolution accepting a loan in the amount of \$250,000.00 from Ohio Public Works Commission to finance road and sewer repairs in connection with the Turney Road Improvement Project in the Cities of Cleveland and Garfield Heights for the period 9/30/2016 - 10/1/2017; authorizing the County Executive to execute the agreement and all other documents required in connection with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 136)

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

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

- 7) R2016-0217: A Resolution authorizing an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to Fat Head's Brewing, L.P. for the benefit of a project located at Engle Road in the City of Middleburg Heights, Permanent Parcel No. 171-21-004; 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. (See Page 139)

Sponsors: County Executive Budish/Department of Development and Councilmember Germana

Committee Assignment and Chair: Economic Development & Planning – Schron

- 8) R2016-0219: A Resolution authorizing the issuance of not-to-exceed \$11,000,000.00 County of Cuyahoga, Ohio Economic Development Refunding Revenue Bonds, Series 2016, for the purpose of refunding the remaining outstanding principal amount of \$13,315,000.00 County of Cuyahoga, Ohio Economic Development Revenue Refunding Bonds, Series 2010 (Hathaway Brown School), which were issued to provide funds to assist Hathaway Brown School in the refinancing of costs of a “Project” within the meaning of Chapter 165, Ohio Revised Code; authorizing the execution and delivery of a loan agreement pertaining to the project and refinancing and an assignment securing the payment of the Bonds; authorizing the execution and delivery of a bond purchase agreement and authorizing the execution and delivery of certain other documents and actions in connection with the issuance of such Bonds; and declaring the necessity that this Resolution become immediately effective. (See Page 142)

Sponsors: County Executive Budish/Department of Development and Councilmember Conwell

Committee Assignment and Chair: Economic Development & Planning – Schron

- 9) R2016-0220: A Resolution authorizing an agreement with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$1,554,391.00 for fiscal and administrative services for the Help Me Grow Bright Beginnings Program for the period 10/1/2016 - 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 150)

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

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

- 10) R2016-0221: A Resolution authorizing an amendment to Contract No. CE1500310-01 with Maximus Human Services, Inc. for the Work Experience Program for work-required public assistance recipients for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,302,648.96; 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 153)

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

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

e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) 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 156)

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

12. MISCELLANEOUS COMMITTEE REPORTS

13. MISCELLANEOUS BUSINESS

14. PUBLIC COMMENT UNRELATED TO AGENDA

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

- a) R2014-0073: A Resolution authorizing a revenue generating Underlying Agreement with City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City

Prisoners, effective 11/1/2014; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6th Floor, Cleveland; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Former County Executive FitzGerald/County Sheriff and Councilmember Hairston

16. ADJOURNMENT

NEXT MEETINGS FOR REMAINDER OF 2016

COMMITTEE OF THE WHOLE MEETING –
2017 BUDGET UPDATE:

TUESDAY, DECEMBER 6, 2016
1:00 PM / COUNCIL CHAMBERS

COMMITTEE OF THE WHOLE MEETING –
ANNUAL ETHICS TRAINING:

TUESDAY, DECEMBER 13, 2016
TBD / COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, DECEMBER 13, 2016
5:00 PM / COUNCIL CHAMBERS

SPECIAL MEETING – OBM FISCAL ITEMS ONLY:

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, NOVEMBER 15, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
4:00 PM**

1. CALL TO ORDER

Council President Brady called the meeting to order at 4:04 p.m.

2. ROLL CALL

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

[Clerk's Note: Councilmember Jones entered the meeting after the roll-call was taken to move to Executive Session.]

3. PUBLIC COMMENT RELATED TO AGENDA

There were no public comments given related to the agenda.

4. EXECUTIVE SESSION:

- a) Consideration of an appointment of a public employee

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing the appointment of a public employee and for no other purpose whatsoever. Executive Session was then called to order by Council President Brady at 4:07 p.m. The following Councilmembers were present: Miller, Germana, Gallagher, Conwell, Brown, Hairston, Simon, Greenspan and Brady. Councilmember Jones entered the meeting after the roll-call was taken to move to Executive Session. The following additional attendees were present: Director of Law Robert Triozzi, Chief of Staff Joseph Nanni, Legislative Budget

Advisor Trevor McAleer, Special Counsel Michael King and Cuyahoga County Audit Committee Chair Michael Abouserhal. At 4:35 pm., Executive Session was adjourned without objection and Council President Brady then reconvened the meeting.

5. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

6. PUBLIC COMMENT UNRELATED TO AGENDA

There were no public comments given unrelated to the agenda.

7. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 4:36 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 15, 2016
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM**

1. CALL TO ORDER

Council President Brady called the meeting to order at 5:00 p.m.

2. ROLL CALL

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

A motion was made by Mr. Brady, seconded by Mr. Gallagher and approved by unanimous vote to excuse Mr. Schron from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Brady requested that a moment of silent meditation be dedicated in honor of the veterans who have served and who currently serve our Country.

5. PUBLIC COMMENT RELATED TO AGENDA

Rev. Pamela Pinkney Butts addressed Council regarding various agenda and non-agenda items.

Mr. Brian Davis addressed Council regarding the Norma Herr Women's Shelter.

6. APPROVAL OF MINUTES

- a) October 24, 2016 Committee of the Whole Meeting
- b) October 24, 2016 Regular Meeting

A motion was made by Ms. Simon, seconded by Mr. Hairston and approved by unanimous vote to approve the minutes of the October 24, 2016 Committee of the Whole and Regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady announced that Council has a full meeting schedule and a lot of work to complete over the next month.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported the following:

- a) **Thanked the Board of Elections staff, poll workers and volunteers for helping to ensure a smooth election.**
- b) **Congratulated Councilmembers Miller, Schron, Jones and Hairston on their re-election as well as newly elected Councilmember Scott Tuma on his election to County Council.**
- c) **Congratulated Councilmember Greenspan on his election to the Ohio House of Representatives.**
- d) **Expressed concern regarding the impact of the presidential election on Cuyahoga County and potential consequences of the elimination of Medicaid expansion on County residents.**

9. LEGISLATION INTRODUCED BY COUNCIL

- a) **CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING**
 - 1) **R2016-0202: A Resolution appointing Cory Swaisgood, upon his taking the oath of office, to serve as Director of Internal Auditing of Cuyahoga County for an unexpired term ending 6/30/2020; and declaring the necessity that this Resolution become immediately effective.**

Sponsors: Council President Brady on behalf of County Audit Committee

Clerk Schmotzer read Resolution No. R2016-0202 into the record.

Council President Brady announced that this item will move to the November 29, 2016 Council meeting agenda for consideration for second reading adoption under suspension of the rules.

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

- 1) R2016-0203: A Resolution approving The MetroHealth System Year 2017 Budget, in accordance with Ohio Revised Code Section 339.06(D), with the understanding that the allocation of County funds to the System will be made through adoption of the 2016/2017 Biennial Operating Budget and Capital Improvements Program Annual Update for 2017; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Brady on behalf of The MetroHealth System

Council President Brady referred Resolution No. R2016-0203 to the Committee of the Whole.

- 2) R2016-0204: A Resolution approving The MetroHealth System's policies and procedures to participate in one or more joint purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to achieve beneficial purchasing arrangements for the year 2017, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Germana on behalf of The MetroHealth System

Council President Brady referred Resolution No. R2016-0204 to the Public Works, Procurement & Contracting Committee.

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2016-0205.

- 1) R2016-0205: 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 Mr. Miller, Resolution No. R2016-0205 was considered and adopted by unanimous vote.

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

- 1) R2016-0206: A Resolution approving an agreement with City of Cleveland for the period 8/1/2015 - 7/31/2035 for the purpose of distributing alcohol and cigarette excise tax proceeds; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2016-0206 to the Committee of the Whole.

- 2) R2016-0207: A Resolution approving an adjustment of the municipal boundary between Orange Village and City of Pepper Pike in connection with a portion of Lander Road, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2016-0207 to the Public Works, Procurement & Contracting Committee.

- 3) R2016-0208: A Resolution approving the vacation of a certain portion of Warrensville Center Road to the City of Shaker Heights in connection with the Van Aken Project; authorizing the County Executive to execute all documents required in connection with said transaction; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2016-0208 to the Public Works, Procurement & Contracting Committee.

- 4) R2016-0209: A Resolution approving the vacation of a certain portion of Warrensville Center Road to Van Aken Shopping Center, Ltd. in connection with the Van Aken Project; authorizing the County Executive to execute all documents required in connection with said transaction; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2016-0209 to the Public Works, Procurement & Contracting Committee.

- 5) R2016-0210: A Resolution authorizing a Memorandum of Agreement with Federal Aviation Administration in connection with the Air Traffic Control Tower Land Site located at the Cuyahoga County Airport for the period 10/1/2016 - 9/30/2036; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

Council President Brady referred Resolution No. R2016-0210 to the Public Works, Procurement & Contracting Committee.

- 6) R2016-0211: A Resolution declaring that public convenience and welfare requires replacement of Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn; total estimated project cost \$3,025,000.00; 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

Council President Brady referred Resolution No. R2016-0211 to the Public Works, Procurement & Contracting Committee.

- 7) R2016-0212: A Resolution making an award on RQ36295 to Burgess & Niple, Inc. in the amount not-to-exceed \$740,169.00 for design engineering services for improvement of Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2016-0212 to the Public Works, Procurement & Contracting Committee.

- 8) R2016-0213: A Resolution authorizing an agreement with Northeast Ohio Regional Sewer District in the amount not-to-exceed \$800,000.00 for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018, and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2016-0213 to the Public Works, Procurement & Contracting Committee.

- 9) R2016-0214: A Resolution authorizing the Director of Public Works to execute and submit a loan application in the amount of \$1,500,000.00 to Ohio Water Development Authority to finance sewer repairs in connection with the Bagley Road Water/Sewer/Resurfacing Project in Olmsted Township for the period 4/1/2017 - 10/1/2018; authorizing the County Executive to accept said loan, if approved, and to execute the agreement and all other documents required in connection with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2016-0214 to the Public Works, Procurement & Contracting Committee.

- 10) R2016-0215: A Resolution accepting a loan in the amount of \$250,000.00 from Ohio Public Works Commission to finance road and sewer repairs in connection with the Turney Road Improvement Project in the Cities of Cleveland and Garfield Heights for the period 9/30/2016 - 10/1/2017; authorizing the County Executive to execute the agreement and all other documents required in connection with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2016-0215 to the Public Works, Procurement & Contracting Committee.

- 11) R2016-0216: A Resolution adopting the 2016/2017 Biennial Operating Budget and Capital Improvements Program Annual Update for 2017, and declaring the necessity that this Resolution become immediately effective.

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

Mr. Greenspan introduced a proposed substitute to Resolution No. R2016-0216. Discussion ensued.

A motion was then made by Mr. Greenspan, seconded by Mr. Brady and approved by unanimous vote to accept the proposed substitute.

Council President Brady referred Resolution No. R2016-0216 to the Committee of the Whole.

- 12) R2016-0217: A Resolution authorizing an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to Fat Head's Brewing, L.P. for the benefit of a project located at Engle Road in the City of Middleburg Heights, Permanent Parcel No. 171-21-004; 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.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2016-0217 to the Economic Development & Planning Committee.

- 13) R2016-0218: A Resolution authorizing an Economic Development Fund Redevelopment and Modernization Loan in the amount not-to-exceed \$2,500,000.00 to Detroit Shoreway Community Development Organization for the benefit of a project located at 11801-11825 Lorain Avenue in the City of 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.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2016-0218 to the Community Development Committee.

- 14) R2016-0219: A Resolution authorizing the issuance of not-to-exceed \$11,000,000.00 County of Cuyahoga, Ohio Economic Development Refunding Revenue Bonds, Series 2016, for the purpose of refunding the remaining outstanding principal

amount of \$13,315,000.00 County of Cuyahoga, Ohio Economic Development Revenue Refunding Bonds, Series 2010 (Hathaway Brown School), which were issued to provide funds to assist Hathaway Brown School in the refinancing of costs of a "Project" within the meaning of Chapter 165, Ohio Revised Code; authorizing the execution and delivery of a loan agreement pertaining to the project and refinancing and an assignment securing the payment of the Bonds; authorizing the execution and delivery of a bond purchase agreement and authorizing the execution and delivery of certain other documents and actions in connection with the issuance of such Bonds; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2016-0219 to the Economic Development & Planning Committee.

- 15) R2016-0220: A Resolution authorizing an agreement with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$1,554,391.00 for fiscal and administrative services for the Help Me Grow Bright Beginnings Program for the period 10/1/2016 - 12/31/2017; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2016-0220 to the Education, Environment & Sustainability Committee.

- 16) R2016-0221: A Resolution authorizing an amendment to Contract No. CE1500310-01 with Maximus Human Services, Inc. for the Work Experience Program for work-required public assistance recipients for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,302,648.96; 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/Cuyahoga Job and Family Services

Council President Brady referred Resolution No. R2016-0221 to the Health, Human Services & Aging Committee.

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

- 1) 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.

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

Committee Assignment and Chair: Finance & Budgeting –
Greenspan

Clerk Schmotzer read Resolution No. R2016-0198 into the record.

This item will move to the November 29, 2016 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. R2016-0196, R2016-0197, R2016-0199, R2016-0200 and R2016-0201.

- 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.

Sponsor: County Executive Budish/Department of Public Works

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

On a motion by Mr. Germana with a second by Ms. Conwell, Resolution No. R2016-0196 was considered and adopted by unanimous vote.

- 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 change the scope of services and the terms, effective 11/16/2016, to extend the time period to 12/31/2017 and 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.

Sponsor: County Executive Budish/Department of Public Works

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

On a motion by Mr. Germana with a second by Mr. Brady, Resolution No. R2016-0197 was considered and adopted by unanimous vote.

- 3) 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.

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

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

On a motion by Mr. Miller with a second by Ms. Brown, Resolution No. R2016-0199 was considered and adopted by unanimous vote.

- 4) 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.

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

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

On a motion by Ms. Simon with a second by Mr. Hairston, Resolution No. R2016-0200 was considered and adopted by unanimous vote.

- 5) 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.

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council and Councilmembers Hairston, Miller, **Conwell, Simon, Jones and Brown**

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

On a motion by Ms. Simon with a second by Mr. Hairston, Resolution No. R2016-0201 was considered and adopted by unanimous vote.

e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 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.

Sponsors: County Executive Budish/Department of Sustainability and Councilmembers **Simon, Brady, Germana, Conwell, Jones, Brown and Miller**

On a motion by Ms. Simon with a second by Mr. Brady, Resolution No. R2016-0137 was considered and adopted by unanimous vote.

[Clerk's Note: Due to a revised opinion by the Inspector General, Councilmember Greenspan was no longer required to recuse himself from voting on this item.]

11. MISCELLANEOUS COMMITTEE REPORTS

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, November 16, 2016 at 3:00 p.m.

Mr. Hairston reported that the Community Development Committee will meet on Tuesday, November 22, 2016 at 9:00 a.m.

Mr. Jones reported that the Health, Human Services & Aging Committee will meet on Wednesday, November 16, 2016 at 1:00 p.m.

Mr. Germana reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, November 16, 2016 at 10:00 a.m.

Mr. Miller reported that the Economic Development & Planning Committee will meet on Tuesday, November 22, 2016 at 10:30 a.m.

Mr. Greenspan reported that the Committee of the Whole will meet on Tuesday, November 29, 2016 at 2:30 p.m. and on Tuesday, December 6, 2016 at 2:00 p.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. PUBLIC COMMENT UNRELATED TO AGENDA

Rev. Pamela Pinkney Butts addressed Council regarding prayer and community services offered throughout the City of Cleveland.

Mr. Rico Dancy addressed Council regarding text 9-1-1 services.

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

- a) O2014-0026: An Ordinance enacting Title 13, Chapter 1301 of the Cuyahoga County Code to establish the Cuyahoga County Consumer Protection Code, and declaring the necessity that this Ordinance become immediately effective.

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

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

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

Clerk Schmotzer reported that Ordinance Nos. O2016-0026 and O2016-0027 were withdrawn at the request of the Law Department.

15. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Hairston with a second by Ms. Brown, the meeting was adjourned at 5:40 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0202

Sponsored by: Council President Brady on behalf of County Audit Committee	A Resolution appointing Cory Swaisgood, upon his taking the oath of office, to serve as Director of Internal Auditing of Cuyahoga County for an unexpired term ending 6/30/2020; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Director of Internal Auditing was created pursuant to the provisions of Article XI, Section 11.03 of the Cuyahoga County Charter, in which the Director of Internal Auditing shall be a “certified Internal Auditor or member of the Institute of Internal Auditors or a similar successor organization and shall be subject to, and follow at all times, the Code of Ethics for Certified Internal Auditors or a similarly recognized code of ethics established by the Institute of Internal Auditors or a similar successor organization”; and

WHEREAS, pursuant to the Cuyahoga County Charter, the County Audit Committee shall recommend to the County Council one or more candidates for appointment as the Director of Internal Auditing; and,

WHEREAS, the County Council shall make the appointment of the Director of Internal Auditing, which shall be for a term of four years, commencing on the first day of July; and,

WHEREAS, the County Audit Committee unanimously recommended Cory Swaisgood to serve as the Director of Internal Auditing to fill a vacancy in an unexpired term which commenced on July 1, 2016 and ends on June 30, 2020 at its November 2, 2016 meeting; and,

WHEREAS, Cory Swaisgood is a Certified Public Accountant and is a member of the Institute of Internal Auditors, Association of Local Government Auditors and Ohio Government Finance Officers Association; and,

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

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

SECTION 1. The Cuyahoga County Council hereby appoints Cory Swaisgood, upon his taking the oath of office, to serve as Director of Internal Auditing of Cuyahoga County for an unexpired term ending June 30, 2020 and shall be compensated at the annual salary of \$99,500.00, effective December 1, 2016.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of eight members of Council, this Resolution shall become immediately effective. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading: November 15, 2016

Journal CC024
November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0204

Sponsored by: Councilmember Germana on behalf of The MetroHealth System	A Resolution approving The MetroHealth System's policies and procedures to participate in one or more joint purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to achieve beneficial purchasing arrangements for the year 2017, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 339.05 authorizes the Board of Trustees of The MetroHealth System to annually adopt bidding procedures and purchasing policies to obtain supplies, equipment and services routinely used in the operations of the Hospital, which, upon said adoption and the approval of the County Executive and County Council, may be followed by the Board of Trustees in lieu of following the competitive bidding procedures of Ohio Revised Code Section 307.86 to 307.92; and

WHEREAS, Ohio Revised Code Section 339.05 specifically authorizes the Board of Trustees of The MetroHealth System to annually adopt bidding procedures and purchasing policies for services provided through a joint purchasing arrangement; and,

WHEREAS, The MetroHealth System seeks to participate in one or more joint purchasing associations available to health care facilities in order to obtain the favorable volume pricing available to the member institutions, thereby reducing the Hospital's overall expense for supplies, equipment and services; and

WHEREAS, on October 26, 2016, The MetroHealth System Board of Trustees adopted Resolution 19022 approving annual joint purchasing policies and procedures for the year 2017.

WHEREAS, The MetroHealth System's current purchasing policy expires December 31, 2016, and in order that critical services provided by The MetroHealth System may continue uninterrupted, it is necessary that this Resolution become immediately effective.

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

SECTION 1. The County Council hereby approves The MetroHealth System's adoption of a purchasing policy which authorizes the System's membership and participation in one or more joint purchasing associations for the purpose of acquiring such supplies, equipment and services routinely used in the operations of the Hospital which are available through group purchasing arrangements in order to achieve economies for the 2017 Calendar Year.

SECTION 2. That the purchases of such supplies, equipment and services through joint purchasing arrangements shall be exempt from the competitive bidding procedures of Ohio Revised Code Section 307.86.

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

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

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

Yeas:

Nays:

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: November 15, 2016
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC024
November 29, 2016

County Council of Cuyahoga County, Ohio

Ordinance No. O2016-0013

Sponsored by: Councilmember Simon	An Ordinance enacting Title 14: Animals and Chapter 1401: Animal Abuse Registry of the Cuyahoga County Code to require violators of specified statutes of the State of Ohio’s animal cruelty law to register with the Cuyahoga County Sheriff; to require the Sheriff to establish and maintain a registry of those violators; and to prohibit registrants from adopting, harboring or acting as custodian or caretaker of a companion animal.
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WHEREAS, Ohio House Bill 60, more commonly known as “Dick Goddard’s Law” was enacted by the Ohio General Assembly on May 25, 2016, making certain types of animal cruelty felony offenses; and,

WHEREAS, companion animals are sentient beings with inherent dignity, and are deserving of protection from abuse; and

WHEREAS, the Cuyahoga County Sheriff maintains a registry of convicted sex offenders and arson offenders living within in Cuyahoga County; and,

WHEREAS, Council now seeks to establish an Animal Abuse Registry within Cuyahoga County to prevent those individuals who have been convicted of felony animal abuse from acting as the custodian or caretaker of companion animals.

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

SECTION 1. Title 14 of the Cuyahoga County Code is hereby enacted to read as follows:

Title 14: Animals

Chapter 1401: Animal Abuse Registry

Section 1401.01: Definitions

As used in this chapter of the Cuyahoga County Code:

(A) “Animal shelter” has the same meaning as in section 4729.01 of the Ohio Revised Code.

(B) “Companion animal” has the same meaning as in section 959.131 of the Ohio Revised Code.

(C) “Dog kennel” has the same meaning as in section 959.131 of the Ohio Revised Code.

(D) “Felony animal cruelty” means any violation of chapter 959 of the Ohio Revised Code that constitutes a felony offense or any violation of section 2921.321 of the Ohio Revised Code that constitutes a felony offense.

(E) “Humane society” has the same meanings as in section 935.01 of the Ohio Revised Code.

(F) “Law enforcement officer” has the same meanings as in section 935.01 of the Ohio Revised Code.

(G) “Pet store” has the same meaning as in section 956.01 of the Ohio Revised Code.

Section 1401.02: Registry Established

(A) For purposes of the registry established under paragraph (B) of this section, an individual who has been convicted or pleaded guilty to felony animal cruelty in Cuyahoga County shall submit the following information to the Cuyahoga County Sheriff not later than thirty days after being convicted or pleading guilty to such violation:

- (1) The individual’s name, address, gender, and date of birth;
- (2) The statutory violation to which the individual was convicted or pleaded guilty;
- (3) Any additional information that the Sheriff considers necessary.

(B) The Cuyahoga County Sheriff, in coordination with the Clerk of Courts, the Cuyahoga County Animal Shelter, and the Chief Information Officer, shall establish and maintain a registry of individuals who have been convicted of or pleaded guilty to felony animal cruelty. The sheriff shall make the registry available to local and state law enforcement agencies, animal shelters, humane societies, dog kennels, pet stores, and licensed animal rescue agencies. In addition, the sheriff shall post a searchable registry on the county’s web site accessible to the public. The registry shall include all of the information submitted under paragraph (A) of this section as well as a photograph of the registrant.

Section 1401.03: Prohibition on Adoption

(A) No person listed on the registry established in section 1301.02 shall adopt, purchase, or harbor a companion animal from any animal shelter, dog kennel, pet store, or other person, or act as custodian or caretaker of a companion animal within Cuyahoga County.

Section 1401.04: Penalty

(A) Whoever violates section 1301.03 of this chapter shall pay a civil fine of \$500.00 dollars for each violation. Violations may be appealed to the Cuyahoga County Debarment Review Board established under Section 205.06 of this code. The Cuyahoga County Debarment Review Board may adopt rules of procedure to adjudicate any appeals described herein.

(B) Fines collected pursuant to this section shall be used to cover reasonable and necessary expenses for enforcing the prohibition on adoption and the costs of maintaining the registry established in Section 1301.02.

SECTION 2. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0222

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.	21A040 – JJDP Sub grant			BA1603106
	JC759142 – FY2016 Title II JJDP			
	Other Expenses	\$	27,500.00	

To appropriate a grant from the U.S. Department of Justice passed through the Ohio Department of Youth Services passed through the Cuyahoga County Department of Public Safety and Justice Services. Funding is for the period of 10/1/16 – 9/30/17. No cash match is required. This is a continuation grant for Title II funds for Juvenile Justice and Delinquency Prevention (JJDP).

B.	21A081 – SAMHSA – Juvenile Delinquency Drug Court			BA1603108
	JC758334 – FY15 Cuyahoga County Juvenile Delinquency Drug Court			
	Personal Services	\$	34,067.95	
	Other Expenses	\$	175,332.05	

Appropriate year three of the Juvenile Delinquency Drug Court Enhanced Project. The award totals \$209,400 each of the prior two years. Funding comes from the SAMHSA Treatment Drug Courts, U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Center for Substance Abuse Treatment covering the period 9/30/16 – 9/29/17. No cash match is required.

C.	40A069 – Capital Projects			BA1607693
	CC769067 – JEH Fire Alarm System Upgrade			
	Personal Services	\$	222,648.39	
	Other Expenses	\$	25,100.00	
	Capital Outlay	\$	75,951.61	

Appropriation is requested in the Jane Edna Hunter Building to fund the upgrade of the fire alarm system in the building. Funding for this upgrade came from the remittance of Public Assistance funds from the Department of Health and Human Services. This project is already funded; the General Fund is not required to fund this project.

D.	40A069 – Capital Projects			BA1607697
	CC769091 – ADA Door Update/Repair VEB			
	Personal Services	\$	25,000.00	
	Capital Outlays	\$	90,000.00	

Appropriation is requested for the ADA Door Update/Repair project at the Virgil E. Brown (VEB) building and the Old Courthouse. Funding for this project will come from the General Fund.

E.	22A794 – US EPA 2008 Brownfield RLF			BA1613645
	DV713404 – US EPA 2008 Brownfield RLF			
	Other Expenses	\$	500,000.00	

The Department of Development is requesting an appropriation increase to this Brownfield account for \$500,000. This is due to a US EPA award amendment on 9/21/2016 that increases the grant award to Department of Development. Development will continue to make loans and sub grants to eligible entities. US EPA will reimburse Cuyahoga County after activities are completed and approved.

F.	21A061 – DOJ/BJA Adult Drug Court Expansion		BA1613663
	CO754762 – SAMHSA/BJA County Drug Court Expansion		
	Personal Services	\$	57,134.00
	Other Expenses	\$	267,866.00

Common Pleas Court is requesting an appropriation increase to provide sufficient funds to cover anticipated cost for the third year of the Substance Abuse and Mental Health Services Administration (SAMHSA) grant. This is the third year of this grant, the period runs from 9/30/16 through 9/29/17. The funding source for this grant is the U.S. Department of HHS – Substance Abuse and Mental Health Services Administration.

G.	21A409 – DOJ/BJA Medication – Assisted Treatment		BA1613664
	CO759167 – Cuyahoga County Mat Drug Court FY16-19		
	Personal Services	\$	111,973.00
	Other Expenses	\$	213,027.00

Common Pleas Court is requesting to establish appropriations for the FY-16 Substance Abuse and Mental Health Services Administration to Common Pleas Court – Cuyahoga County SAMHSA Medication Assisted Treatment (MAT) Project. Performance period is 9/30/16 – 9/29/19. These Federal funds are awarded by the Department of Health and Human Services (C96N290) with no cash match required. This is a new grant that was accepted on 8/30/16. The approval was made on October 11, 2016 (CON 2016-96).

H.	22A105 – HUD Section 108		BA1613667
	DV711606 – HUD Section 108		
	Other Expenses	\$	548,592.70

Department of Development is requesting an appropriation increase to process bi-annual debt service payments on governmental guarantee bond accounts required by HUD. Cash was moved into this Development account on 7/12/2016 (JE1601138-02); asking for appropriations to be increased to match debt service expenditures paid. Project period began on 6/1/1998.

I.	21A078 – SAKI DNA Collection		BA1615097
	PR780783 – 2016 SAKI DNA Collection		
	Personal Services	\$	562,479.00
	Other Expenses	\$	437,521.00

To appropriate the 2016 SAKI DNA Collection Grant. This grant is provided by the U.S. Department of Justice – Office of Justice Programs. The grant period is from 10/1/16 – 9/30/19.

J.	21A079 – SAKI Capacity Building		BA1615098
	PR790790 – 2016 SAKI Capacity Building		
	Personal Services	\$	1,512,255.00
	Other Expenses	\$	487,745.00

To appropriate the Cuyahoga County Sexual Assault Kit Task Force Capacity Building Initiative grant. This grant is provided by the U.S. Department of Justice – Office of Justice Programs. The grant period is from 10/1/16 – 9/30/19.

K.	21A003 – High Visibility Enforcement OT		BA1601565
	SH756734 – FY '17 HVEO – IDEP Grant		
	Personal Services	\$	42,924.61
	Other Expenses	\$	1,795.17

The Sheriff's Department is requesting appropriation for the High Visibility Enforcement Overtime (HVEO), Impaired Driving Enforcement (IDEP) grant. The grant comes from the U.S. Department of Transportation, through the Ohio Department of Public Safety, Ohio State Highway Patrol, Office of Traffic Safety. This grant award was approved by the County Executive on 10/13/2016 via Approval No.CON2016-97. The FY16 grant award was \$44,205. The funding period for the grant is 10/1/16 – 9/30/17. There is no match required.

L.	21A003 – High Visibility Enforcement OT		BA1601566
	SH756759 – FY '17 HVEO – Step Grant		
	Personal Services	\$	32,800.86
	Other Expenses	\$	1,196.78

The Sheriff's Department is requesting appropriation for the High Visibility Enforcement Overtime (HVEO), Selective Traffic Enforcement Program grant. The grant comes from the U.S. Department of Transportation, through the Ohio Department of Public Safety, Ohio State Highway Patrol, Office of Traffic Safety. This grant award was approved by the County Executive on 10/13/2016 via Approval No.CON2016-98. The FY16 grant award was \$33,654. The funding period for the grant is 10/1/16 – 9/30/17. There is no match required.

M.	20A820 – Delinquent R E Tax/ASST - Prosecutor		BA1615106
	PR495572 – Delinquent R E Tax/ASST - Prosecutor		
	Other Expenses	\$	90,994.00

Appropriation increase within space maintenance (0351) of the Prosecutor's Delinquent Tax Assessment and Collection index (PR495572) to cover space maintenance cost for 2016. Sufficient cash exists for this special revenue fund. Funding source is foreclosure assessments and tax settlements.

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>	
A.	FROM: 20A307 – County Planning Commission		BA1603110
	CP522110 – CPC - Administration		
	Other Expenses	\$	49,500.00
	TO: 20A307 – County Planning Commission		
	CP522110 – CPC - Administration		
	Personal Services	\$	49,500.00

Transferring appropriation to intended Salaries (0030) and Benefits (0150) accounts.

B.	FROM: 01A001 – General Fund HC019018 – Personnel Review Commission Other Expenses	\$ 400.00	BA1613660
	TO: 01A001 – General Fund HC019018 – Personnel Review Commission Capital Outlays	\$ 400.00	

Adjusting appropriations from Commodities to Capital to cover NSF within the PRC.

C.	FROM: 01A001 – General Fund DR495515 – Domestic Relation Child Support Other Expenses	\$ 38,355.00	BA1615096
	TO: 01A001 – General Fund DR391052 – Domestic Relations Capital Outlays	\$ 6,500.00	
	TO: 01A001 – General Fund DR391052 – Domestic Relations Other Expenses	\$ 25,355.00	
	TO: 01A001 – General Fund DR495515 – Domestic Relations Child Support Other Expenses	\$ 6,500.00	

Appropriation adjustment transferring appropriation from Domestic Relations Bureau of Support (DR495515) professional and technical services (0264) to DR391052 equipment and furniture (0720), DR391052 other operating (0610) and DR495515 equipment and furniture (0720). This appropriation will support the purchase of furniture and equipment for Domestic Relations staff as well as office maintenance.

D.	FROM: 40A069 – Capital Projects CC767897 – Elevator Upgrade – Board of Elections Capital Outlays	\$ 5,335.10	BA1607711
	TO: 40A069 – Capital Projects CC767897 – Elevator Upgrade – Board of Elections Personal Services	\$ 5,335.10	

An appropriation transfer from capital outlays to personal services is requested in the Board of Elections Elevator Upgrade project to close out the project. More county personnel was needed to complete the project than was originally anticipated. Funding for this project came from bond proceeds supported by the property taxes of the County.

E.	FROM: 20A264 – County Law Library Resource Board (CLLRB) LL440008 – County Law Library Resource Board (CLLRB) Other Expenses	\$ 4,800.00	BA1613662
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TO: 20A264 – County Law Library Resource Board (CLLRB)
 LL440008 – County Law Library Resource Board (CLLRB)
 Personal Services \$ 4,800.00

Law Library is requesting an appropriation transfer from Other Operating to Personal Benefits for \$4,800.00 to cover projected end of the year deficits within the index due to final 5 pay increase in Flex Benefits/Hospitalization. Funding is from various court fines, fees and Ohio State Highway Patrol tickets.

F. FROM: 01A001 – General Fund **BA1615095**

DR391052 – Domestic Relations
 Other Expenses \$ 3,300.00

TO: 01A001 – General Fund
 DR391052 – Domestic Relations
 Capital Outlays \$ 1,650.00

TO: 01A001 – General Fund
 DR495515 – Domestic Relations Child Support
 Capital Outlays \$ 1,650.00

Transfer General fund appropriation of \$3,300.00 within DR391052 from contracts and professional services (0278) to equipment and furniture (0720). Appropriation will transfer from DR391052 and will be split between DR391052 0720 and Bureau of Support DR495515 0720. This appropriation will support the purchase of furniture and equipment for Domestic Relations staff as well as office maintenance.

G. FROM: 24A510 – Work and Training Administration **BA1615099**

WT137141 – Client Support Services
 Personal Services \$ 85,328.00

FROM: 24A510 – Work and Training Administration
 WT137315 – Work First Services
 Personal Services \$ 360,000.00

FROM: 24A510 – Work and Training Administration
 WT137430 – Ohio City NFSC
 Personal Services \$ 75,000.00

FROM: 24A510 – Work and Training Administration
 WT137455 – Quincy Place NFSC
 Personal Services \$ 523,941.00

TO: 24A510 – Work and Training Administration
 WT137463 – VEB Building NFSC
 Personal Services \$ 946,567.00

TO: 24A510 – Work and Training Administration
 WT137539 – West Shore NFSC
 Personal Services \$ 97,702.00

Appropriation adjustment is requested to transfer appropriation from Job & Family Services Client Support Services (WT137141), Work First Services (WT137315), Ohio City NFSC (WT137430), and Quincy Place NFSC (WT137455) salaries (0030) to VEB Building NFSC (WT137463) salaries (0030) and West Shore NFSC (WT137539) flex benefits (0152) to cover projected NSF at year-end.

H. FROM:	01A001 – General Fund		BA1613659
	IA018002 – Internal Audit Department		
	Other Expenses	\$	10,426.00
TO:	01A001 – General Fund		
	IA018002 – Internal Audit Department		
	Personal Services	\$	10,426.00

An appropriation adjustment to cover leave pay out due to unexpected retirement of Director and to cover increases in health insurance payroll contributions for balancing hospitalization fund.

I. FROM:	20A600 – Cuyahoga Support Enforcement Agency		BA1615094
	SE496000 – Child Support Enforcement Agency		
	Personal Services	\$	1,000.00
TO:	20A606 – Fatherhood Initiative		
	SE507152 – Fatherhood Initiative		
	Personal Services	\$	1,000.00

Appropriation adjustment transferring appropriation from the Office of Child Support Services (SE496000) salaries (0030) to Fatherhood Initiative (SE507152) salaries (0030) to cover projected NSF at year-end.

J. FROM:	21A500 – Urban Area Security Initiative (URSI)		BA1615105
	JA741645 – FY14 Urban Area Sec Initiative (UASI)		
	Other Expenses	\$	39,761.59
TO:	21A500 – Urban Area Security Initiative (URSI)		
	JA741645 – FY14 Urban Area Sec Initiative (UASI)		
	Capital Outlays	\$	39,761.59

Appropriation adjustment to transfer appropriation within the FY14 Urban Area Security Initiative Grant index (JA741645), realigning appropriation to maximize grant funds and to allow for the reimbursement of equipment purchases.

K. FROM:	01A001 – General Fund		BA1600248
	JC372052 – Juvenile Ctr - Judges		
	Other Expenses	\$	2,806,599.00
FROM:	01A001 – General Fund		
	CO380196 – Common Pleas Arbitration		
	Other Expenses	\$	195,973.00

TO:	01A001 – General Fund CO380121 – Common Pleas – Judicial/General Other Expenses	\$	465,678.00
TO:	01A001 – General Fund DR391052 – Domestic Relations Other Expenses	\$	61,654.00
TO:	01A001 – General Fund DR495515 – Domestic Relations Child Support Other Expenses	\$	136,054.00
TO:	01A001 – General Fund JC372060 – Juvenile Court - Legal Other Expenses	\$	2,023,970.00
TO:	01A001 – General Fund JC370056 – Juvenile Court – Detention home Other Expenses	\$	134,586.00
TO:	01A001 – General Fund PC400051 – Probate Court Other Expenses	\$	180,630.00

Requesting an appropriation transfer for controlled costs among various courts that are funded from the General Fund. Funding is from the General Fund covering the period 1/1/16 – 12/31/16.

L.	FROM: 01A001 – General Fund CN017004 – County Council Other Expenses	\$	12,600.00	BA1601568
	TO: 01A001 – General Fund CN017004 – County Council Personal Services	\$	12,600.00	

A transfer of appropriation from Contracts to Personal Services is being requested on behalf of County Council in order to cover year-end payroll based on Pay 23 projections. Funding comes from the General Fund.

M.	FROM: 20A625 – Solid Waste District - Admin SM522466 – Solid Waste District - Admin Other Expenses	\$	4,000.00	BA1609136
	TO: 20A625 – Solid Waste District - Admin SM522466 – Solid Waste District - Admin Personal Services	\$	4,000.00	

Appropriation transfer to cover projected benefits deficit. Funding is generated through inter-agency agreements with local municipalities.

<p>N. FROM: 68A100 – Hospitalization – Self Insurance Fund CC499202 – Human Resources Benefits Office Other Expenses</p>	<p>\$ 150,000.00</p>	<p>BA1601569</p>
<p>TO: 68A100 – Hospitalization – Self Insurance Fund CC499202 – Human Resources Benefits Office Personal Services</p>	<p>\$ 150,000.00</p>	

A transfer of appropriation from Contracts to Personal Services is being requested on behalf of Benefits Administration in order to cover year-end payroll based on Pay 23 projections. Funding comes from the General Fund.

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

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

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

Yeas:

Nays:

_____	_____
County Council President	Date

_____	_____
County Executive	Date

Clerk of Council

Date

Journal CC024
November 29, 2016



ARMOND BUDISH
Cuyahoga County Executive

TO: Jeanne Schmotzer, Clerk of County Council
FROM: Maggie Keenan, Office of Budget and Management
CC: Dennis Kennedy, Fiscal Office
DATE: November 22, 2016
RE: Fiscal Agenda – 11.29.16 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 **November 29, 2016**. The requested fiscal items, including additional appropriations, appropriation transfers, and cash transfers, meet agency budgetary needs.

This agenda includes a number of requests to appropriate grants and special revenue funds, including two requests to appropriate a combined \$3 million to the Prosecutor's Office in support of the Sexual Assault Kit Investigation initiative. The first is a three-year, \$1 million award from the U.S. Department of Justice's Sexual Assault Kit Initiative (SAKI) to collect DNA from convicted sexual offenders to assist with sexual assault investigations and prosecutions. With this grant, the Prosecutor's Office will conduct a "census of offenders who lawfully owe DNA; collect, submit, and track DNA samples of those offenders; conduct an assessment of the efficacy of changes to practices that were supposed to be implemented as a result of previous omissions of DNA swabs from offenders who lawfully owe DNA; and produce reports that include lessons learned." Specifically, this grant will support the cost associated with three investigators to collect and track DNA swabs and an assistant Prosecuting Attorney, as well as contractual costs for a firm to conduct the data analysis and research and evaluation and investigative travel costs.

The second is a three-year, \$2 million award from the SAKI. This award will support the continuation of the Cuyahoga County Sexual Assault Kit Task Force, a partnership between the County Prosecutor and the OAG's Bureau of Criminal Investigations, the Sheriff's Office, the Cleveland Division of Police, and the Cleveland Rape Crisis Center that began in 2013. This grant will enable the Task Force to continue to address the cases that arise out of the testing of old rape kits including investigation, victim advocacy, and prosecution, as well as to support cross-disciplinary training by the Rape Crisis Center on victim-centered practices and victim advocacy and to develop a new protocol for victim notification for pre-1993 cases. Specifically, the funds will support personnel costs for investigators, victim advocates and a site coordinator, as well as the contractual cost associated with training, research, and evaluation.

Additionally, this agenda includes requests to appropriate two capital projects: the Fire Alarm System Upgrade in the Jane Edna Hunter building (Children and Family Services) and the ADA Door Update/Repair at the Virgil E. Brown building (Job & Family Services/Child Support Services). Both of these projects are included in the total funding allocated to the 2016 Capital Improvements Plan. The Fire Alarm project is supported by the Public Assistance Funds and the ADA project is supported by the General Fund.

Finally, this agenda includes a number of transfers within agency budgets to cover projected expenses through the rest of the year.

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	\$438,700.00	Special Revenue – General/HHS Levy Fund Impact
Common Pleas Court	\$650,000.00	Grant – No General/HHS Levy Fund Impact
Development	\$1,048,592.70	Special Revenue – No General/HHS Levy Fund Impact
Juvenile Court	\$239,900.00	Grant – No General/HHS Levy Fund Impact
Prosecutor’s Office	\$3,000,000.00	Grant – No General/HHS Levy Fund Impact
Prosecutor’s Office	\$90,994.00	Special Revenue – No General/HHS Levy Fund Impact
Sheriff’s Office	\$78,717.42	Grant – No General/HHS Levy Fund Impact
TOTAL	\$5,546,904.12	

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 11/29/16</u>	<u>Year-To-Date Amendments</u>	<u>R2015-0209</u>	<u>Adjusted Annual Appropriation</u>
General Fund	\$0.00	\$27,510,451.19	\$373,115,578.00*	\$400,626,029.19
HHS Levy Impact	\$0.00	\$254,431.96	\$237,653,893.00	\$237,908,324.96
Other Fund	\$5,546,904.12	\$282,915,170.37	\$859,036,267.00	\$1,141,951,437.37
Total Impact	\$5,546,904.12	\$301,680,053.52	\$1,469,805,738.00	\$1,780,485,791.52

*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
Capital Projects	\$5,335.10	Special Revenue – General Fund Impact
County Council	\$12,600.00	General Fund
Domestic Relations Court	\$41,655.00	General Fund
Internal Audit	\$10,426.00	General Fund
Job & Family Services/CSEA	\$1,000.00	HHS Levy Fund
Job & Family Services/EFS	\$1,044,269.00	Special Revenue – HHS Levy Fund Impact
Juvenile Court/CO, DR, PC	2,806,599.00	General Fund
Law Library Resource Board	\$4,800.00	Special Revenue – No General/HHS Levy Fund Impact
Personnel Review Commission	\$400.00	General Fund
Planning Commission	\$49,500.00	Special Revenue – General Fund Impact
Public Safety & Justice Services	\$39,761.59	Grant – No General/HHS Levy Fund Impact
Self-Insurance/Hospitalization	\$150,000.00	Special Revenue – General/HHS Levy Fund Impact
Solid Waste District	\$4,000.00	Special Revenue – No General/HHS Levy Fund Impact
TOTAL	\$4,170,345.69	

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
TOTAL	\$0	

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. R2016-0223

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s reappointment of various individuals to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2017 - 12/31/2020, and declaring the necessity that this Resolution become immediately effective.
--	--

WHEREAS, the Cuyahoga County Public Defender Commission was created pursuant to the provisions of ORC Section 120.13; and

WHEREAS, the powers and duties of the Cuyahoga County Public Defender Commission are established pursuant to ORC Section 120.14, which include: recommending an annual operating budget of the office of the County Public Defender, establishing operational standards of the office of the County Public Defender, and determining the qualification and size of the supporting staff of the office in an effort to provide essential legal representation to indigent persons in the County; and

WHEREAS, pursuant to ORC Section 120.13, the Cuyahoga County Public Defender Commission shall have five members with a term of office of four years; and

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

WHEREAS, the County Executive has nominated the following individuals for reappointment to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2017 – 12/31/2020:

- i. Gordon S. Friedman
- ii. James R. Wooley; and,

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that Charter

requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive’s reappointment of various individuals to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2017 – 12/31/2020 as follows:

- i. Gordon S. Friedman
- ii. James R. Wooley.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County, the preservation of public peace, health or safety in the County, and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight (8) members of Council, this Resolution shall become immediately effective.

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

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

Yeas:

Nays:

County Council President	Date

Clerk of Council	Date

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

Journal _____
_____, 20__



ARMOND BUDISH
Cuyahoga County Executive

November 21, 2016

TO: Dan Brady, President
Cuyahoga County Council
2079 E. Ninth Street
Cleveland, OH 44115

RE: Cuyahoga County Public Defender Commission appointment

Dear President Brady,

Pursuant to Ohio Revised Code Section 120.13, I submit the following nominee for reappointment to the Cuyahoga County Public Defender Commission:

Gordon S. Friedman

Among other duties, the County Public Defender Commission is responsible for the following:

- Appointing the County Public Defender;
- Determining the qualifications and size of the supporting staff and facilities, and other requirements needed to maintain and operate the office of the County Public Defender;
- Recommending an annual budget for the office of the County Public Defender to the County Executive;
- Making an annual report to the County Executive and Ohio Public Defender Commission on the operation of the County Public Defender Office;
- Contracting with municipal corporations within Cuyahoga County for the Public Defender to provide legal representation for indigent persons who are charged with a violation of the ordinances of the municipal corporation

The Public Defender Commission is comprised of five members – three appointed by the County Executive, and two appointed by the presiding judge of the Court of Common Pleas. Public Defender Commission members are uncompensated. Per Ohio Revised Code, at least one member appointed by each of these authorities must be an attorney admitted to practice law in the State of Ohio. Mr. Friedman currently maintains an active registration with the Supreme Court of Ohio, with no history of discipline or sanction.

Mr. Friedman's current appointment was confirmed by County Council in 2012. Upon confirmation, his term of office will run for four years. According to information provided by the

Office of the Public Defender, he has attended all meetings since originally appointed to the Commission in 1992.

Aside from the reappointment of James Wooley, no other individuals have submitted applications to the County Executive's Office expressing interest in service on the Public Defender Commission.

Mr. Friedman is a resident of the City of Shaker Heights. In addition to his service with the Public Defender Commission, he is also involved with the National Association of Criminal Defense Lawyers, American Civil Liberties Union, The Innocence Project, The NORML Legal Committee, the Ohio Association of Criminal Defense Lawyers, and the William K. Thomas Inns of Court. He has no known potential conflicts of interest for which an advisory opinion has been requested.

Attached, for your review, is a copy of Mr. Friedman's bio. As shown, he currently serves as Partner with the firm of Friedman & Gilbert. He is an expert in the areas of criminal defense and civil rights law, and his work in litigation has resulted in legal reform in the State of Ohio. We are extremely grateful for his service over the past four years, and look forward to retaining his expertise in the effort to provide high-quality legal representation to the County's indigent residents.

Thank you for your consideration of this appointment. If you need further information, please contact Boards Administrator Lindy Burt at 216-698-2064.

Sincerely,



Armond Budish
Cuyahoga County Executive

Copy:

Robert Tobik
Judge John J. Russo
Mark Budzar

October 12, 2016

Armond Budish, Cuyahoga County Executive
Cuyahoga County Administration Building
2079 East Ninth Street
Cleveland, OH 44115

Re: Reappointment to the Cuyahoga County Public Defender Commission
Term January 1, 2017 to December 31, 2020

Dear Executive Budish:

Pursuant to the Ohio Revised Code Section 120.13, I am requesting to be reappointed for service to the Public Defender Commission.

- The commission is comprised of five members, three appointed by the Cuyahoga County Executive and two by the Administrative Judge of the Cuyahoga County Common Pleas Court.
- The reappointment is for a full four year term, beginning 1/1/2017 and ending 12/31/2020.
- There are no know conflicts of interest for which an advisory opinion has been requested.
- The board is uncompensated.

Please note, I have been a member of the commission since March 1992.

Should you or any of your colleagues have any questions, please feel free to contact Mark Budzar, Administrator of the Office of the Public Defender at mbudzar@cuyahogacounty.us or 216-443-8386.

Sincerely,



Gordon S. Friedman, Esq.

Email: gorlaw@f-glaw.com

Website/bio: <http://www.friedmanandgilbert.com/gordon-s-friedman.html>

{ cc: Chris Glassburn – Senior Policy Advisor
Joe Nanni, Chief of Staff – County Council }

GORDON SAMUEL FRIEDMAN



EDUCATION

- A. Shaker Heights High School - 1960 Graduate
- B. Miami University, Oxford, Ohio, 1960
Graduation: June, 1964, with Honors
- C. The George Washington University
Graduation: June, 1967, Juris Doctor

EMPLOYMENT

- A. Private Practice of Law
September, 1976 - Present
Friedman & Gilbert
Specializing in Criminal and Civil Rights litigation
- B. Adjunct Professor of Law
September, 1976 - Present
Cleveland-Marshall College of Law,
Cleveland State University
- C. Cleveland-Marshall College of Law
Cleveland State University
Associate Professor of Law (tenured)
June, 1972 - September, 1976
- D. Executive Director, The Free Medical Clinic
of Greater Cleveland
May, 1970 - June, 1972
- E. Public Defender's Office of Cleveland Legal
Aid Society, Staff Attorney
August, 1967 - May, 1970

COMMUNITY ACTIVITIES

- A. President, Board of Trustees, Free Medical Clinic of Greater Cleveland, 1987 - 1996;
- B. Commissioner, Cuyahoga County Public Defender Commission, 1992 - Present
- C. National Lecturer, Criminal Procedure, Civil Rights Litigation (§1983), Continuing Legal Education; Cuyahoga Bar Association; Cleveland Bar Association; Cuyahoga Criminal Defense Lawyers Association; Ohio Association Criminal Defense Lawyers
- D. Board Member, Cleveland Legal Aid Society (past)
- E. U.S. Court of Appeals for the Sixth Circuit, Federal Public Defender Selection Panel, 2015

HONORS

- A. Claude E. Clarke Award
Outstanding Legal Aid Attorney, 1969
- B. Elected to the Shaker Heights High School Alumni Hall of Fame, October, 1992
- C. 2004 Outstanding Service Award, Cuyahoga County Bar Association
- D. Al Horn Memorial Award, December 5, 2009
Lifetime Achievement Award, National Organization for the Reform of Marijuana Laws

MEMBERSHIPS

- A. National Association of Criminal Defense Attorneys
- B. Cleveland Metropolitan Bar Association
- C. American Civil Liberties Union
- D. Licensed to practice in State (Ohio) and Federal Courts



ARMOND BUDISH
Cuyahoga County Executive

November 21, 2016

TO: Dan Brady, President
Cuyahoga County Council
2079 E. Ninth Street
Cleveland, OH 44115

RE: Cuyahoga County Public Defender Commission appointment

Dear President Brady,

Pursuant to Ohio Revised Code Section 120.13, I submit the following nominee for reappointment to the Cuyahoga County Public Defender Commission:

James R. Wooley

Among other duties, the County Public Defender Commission is responsible for the following:

- Appointing the County Public Defender;
- Determining the qualifications and size of the supporting staff and facilities, and other requirements needed to maintain and operate the office of the County Public Defender;
- Recommending an annual budget for the office of the County Public Defender to the County Executive;
- Making an annual report to the County Executive and Ohio Public Defender Commission on the operation of the County Public Defender Office;
- Contracting with municipal corporations within Cuyahoga County for the Public Defender to provide legal representation for indigent persons who are charged with a violation of the ordinances of the municipal corporation

The Public Defender Commission is comprised of five members – three appointed by the County Executive, and two appointed by the presiding judge of the Court of Common Pleas. Public Defender Commission Members are uncompensated. Per Ohio Revised Code, at least one member appointed by each of these authorities must be an attorney admitted to practice law in the State of Ohio. Mr. Wooley currently maintains an active registration with the Supreme Court of Ohio, with no history of discipline or sanction.

Mr. Wooley's current appointment was confirmed by County Council in 2013. Upon confirmation, his term of office will run for four years. According to information provided by the

Office of the Public Defender, his attendance at board meetings has been consistent, missing only one meeting during the term of his appointment.

Aside from the reappointment of Gordon Friedman, no other individuals have submitted applications to the County Executive's Office expressing interest in service on the Public Defender Commission.

Mr. Wooley is a resident of the City of Lakewood. According to his resume, he does not currently serve on any other government, private or non-profit boards or commissions, and has no known potential conflicts of interest for which an advisory opinion has been requested.

Attached, for your review, is a copy of Mr. Wooley's bio. As shown, in addition to his employment as a Partner with the firm of Jones Day, Mr. Wooley also serves as an Adjunct Professor at Case Western Reserve School of Law, teaching advanced criminal procedure. We are extremely grateful for his service over the past four years, and look forward to retaining his expertise in the effort to provide high-quality legal representation to the County's indigent residents.

Thank you for your consideration of this appointment. If you need further information, please contact Boards Administrator Lindy Burt at 216-698-2064.

Sincerely,



Armond Budish
Cuyahoga County Executive

Copy:
Robert Tobik
Judge John J. Russo
Mark Budzar

October 17, 2016

Armond Budish, Cuyahoga County Executive
Cuyahoga County Administration Building
2079 East Ninth Street
Cleveland, OH 44115

Re: Reappointment to the Cuyahoga County Public Defender Commission

Term January 22, 2017 to January 22, 2021

Dear Executive Budish:

Pursuant to the Ohio Revised Code Section 120.13, I am requesting to be reappointed for service to the Public Defender Commission.

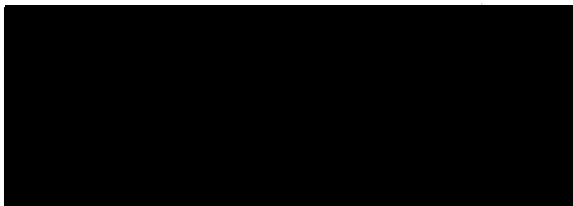
- The commission is comprised of five members, three appointed by the Cuyahoga County Executive and two by the Administrative Judge of the Cuyahoga County Common Pleas Court.
- The reappointment is for a full four year term, beginning 1/22/2017 and ending 1/22/2021.
- There are no known conflicts of interest for which an advisory opinion has been requested.
- The board is uncompensated.

Please note, I have been a member of the commission since January 2013.

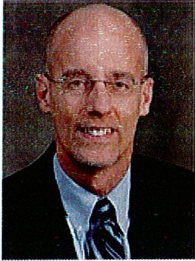
Should you or any of your colleagues have any questions, please feel free to contact Mark Budzar, Administrator of the Office of the Public Defender at mbudzar@cuyahogacounty.us or 216-443-8386.

Sincerely,


James R. Wooley, Esq. /s/MB



cc: Chris Glassburn – Senior Policy Advisor
Joe Nanni, Chief of Staff – County Council



JAMES R. WOOLEY (JIM)

PARTNER

Investigations & White Collar Defense
Business & Tort Litigation
Antitrust Criminal Investigations
Foreign Corrupt Practices Act Counseling & Defense
Life Sciences False Claims Act & Qui Tam Defense

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Cleveland

(T) +1.216.586.7345
(F) +1.216.579.0212

EXPERIENCE HIGHLIGHTS

Jones Day represents Cleveland kidnapping survivors on pro bono basis

HONORS & DISTINCTIONS

Listed in *Ohio Super Lawyers*, *The Best Lawyers in America*, and *Chambers USA*
Recipient of U.S. Attorney General's Distinguished Service Award, FBI
Director's Excellence Investigations Award, and Assistant U.S. Attorney of the
Year Award

EDUCATION

Case Western Reserve University (J.D. 1982; Order of the Coif; Law Review);
University of Cincinnati (B.F.A. magna cum laude 1979)

BAR ADMISSIONS

Ohio, New York, U.S. District Court for the Northern District of Ohio, and U.S.
Courts of Appeals for the Sixth Circuit

GOVERNMENT SERVICE

Assistant United States Attorney, U.S. Department of Justice (1990-2000) and
Assistant District Attorney, Manhattan District Attorney's Office (1982-1986)

Jim Wooley's practice involves representing public and private corporations and business professionals in federal, state, and local criminal investigations. He also conducts internal investigations into allegations of employee misconduct, fraud, or other business crimes.

Jim's matters involve antitrust, criminal tax, health care fraud, securities fraud, public corruption (including the FCPA), environmental crimes, customs law violations, and other criminal statutes. He has successfully represented clients in matters before the U.S. Department of Justice, as well as the SEC, IRS, EPA, FDA, NASA, NRC, and other federal, state, and local law enforcement agencies.

Jim served as a federal prosecutor handling criminal cases involving racketeering, public corruption, murder, fraud, money laundering, and other federal crimes. At the DOJ, he received awards for his work prosecuting notable cases, including RICO cases against organized crime families, the landmark forensic DNA case in the U.S., and the largest police corruption case in FBI history at that time. He also served as an assistant in Manhattan D.A. Robert Morgenthau's office.

Jim is a Fellow of the American College of Trial Lawyers. He has been appointed by courts to chair the Merit Selection Committee for the federal defender position for the Northern District of Ohio, to act as special prosecutor in cases alleging prosecutorial misconduct, and to oversee an audit of the Cleveland Police Department Crime Laboratory. In 2005, he was appointed by Cleveland's mayor to investigate allegations of fraud within the Cleveland City School District.

Jim is an adjunct professor at Case Western Reserve School of Law, teaching advanced criminal procedure.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0224

Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer	A Resolution authorizing an amendment to Contract No. CE0601091-01 with DLZ Ohio, Inc. for consultant engineering services for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights to change the scope of services, effective 12/13/2016, and for additional funds in the amount not-to-exceed \$538,518.00; 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/Division of County Engineer has recommended an amendment to Contract No. CE0601091-01 with DLZ Ohio, Inc. for consultant engineering services for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights to change the scope of services, effective 12/13/2016, and for additional funds in the amount not-to-exceed \$538,518.00; and

WHEREAS, the scope of services has been expanded to include environmental analysis, Stage 1, Stage 2 and Stage 3 design, right-of-way plan, performance of the scope of the final design, preparation of final package, bridge and retaining wall detailed design, and services during construction; and

WHEREAS, the additional services included in this amendment could not be contracted with the initial contract since the scope of final design was not known at that time but developed during the preliminary engineering and environmental studies; and

WHEREAS, this project will be funded by Federal funding from House/Senate Priority 1688/4639; 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. CE0601091-01 with DLZ Ohio, Inc. for consultant engineering services for construction of Stage 1 of the Towpath Trail Extension from Harvard Avenue to Steelyard Commons in the City of Cleveland and Village of Cuyahoga Heights to change the scope of services, effective 12/13/2016, and for additional funds in the amount not-to-exceed \$538,518.00.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

Item No. 1

A. Scope of Work Summary

1. The Department of Public Works requesting approval of an Amendment with DLZ Ohio, Inc. for the anticipated cost of \$538,518.
 - a. The primary goal of this project is the execution of Amendment #3 with DLZ Ohio, Inc. for the Towpath Tail Stage 1
2. Amendment
 - a. The amendment is for detailed design engineering services required on the Towpath Trail Stage 1. The services include: Environmental Analysis, Stage 1, Stage 2 and Stage 3 Design, Right-of-Way Plan, Performance of the scope of the final design, Prepare Final Package, Bridge and Retaining Wall Detailed Design, Stream Mitigation, and Services during construction. These services could not be contracted with the initial contract since the scope of the final design was not known but was developed during the preliminary engineering and environmental studies.
 - b. Original Contract Value: \$582,814.00 (070203)
Amendment No. 1: \$31,841.00 (102707)
Amendment No. 2: \$436,518.00 (BC2013-270)

B. Procurement:

1. The procurement method for the design of the project was RFQ. The total value of the RFQ is \$1,051,470.00.
2. The RFQ closed on February 15, 2006. There were 11 proposals submitted for review, 3 were interviewed and 1 approved.

C. Contractor and Project Information

1. The address of the vendor is:
DLZ Ohio, Inc.
614 W. Superior Avenue
Suite 1000
Cleveland, OH 44113
Council District – 7
2. The Vice President is Vickie Wildeman

D. Funding

1. The project is Federal Earmark in the amount of \$538,518
2. The schedule of payments is by invoice.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0225

Sponsored by: County Executive Budish/Department of Human Resources	A Resolution authorizing an amendment to Contract No. CE1600075-01 with Medical Mutual of Ohio for stop loss insurance services for County employees and their eligible dependents and Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$3,285,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Human Resources recommended an amendment to Contract No. CE1600075-01 with Medical Mutual of Ohio for stop loss insurance services for County employees and their eligible dependents and Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$3,285,000.00; and

WHEREAS, the purpose of this amendment is to provide stop loss insurance services for the health benefits program; and

WHEREAS, this project will be funded 100% from Hospitalization Self-Insurance Funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1600075-01 with Medical Mutual of Ohio for stop

loss insurance services for County employees and their eligible dependents and Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$3,285,000.00.

SECTION 2. That the County Executive is authorized to execute the amendment and all other documents consistent with this Resolution. To the extent an exemption is needed for anything herein, it is hereby granted.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2016

Title: Department of Human Resources 2016 Medical Mutual of Ohio amendment to the contract for Stop Loss Insurance services for County employees and their eligible dependents and Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2017 - 12/31/2017.

A. Scope of Work Summary

1. Department of Human Resources requesting approval of an amendment with Medical Mutual of Ohio for the anticipated cost not-to-exceed \$3,285,000.00. The anticipated start-completion dates are 1/1/2017 – 12/31/2017.
2. The primary goals of the project is to provide Stop Loss Insurance services for County employees and their eligible dependents and Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents.

B. Procurement

1. The procurement method for this project was RFP exemption for professional insurance services (Cuyahoga County Code Section 501.12 (B) (2)). The total value of the contract and this amendment is \$7,009,000.
2. The proposed contract and amendment are exempt from the RFP process.

C. Contractor and Project Information

1. The address of the vendor is:
Medical Mutual of Ohio
2060 East Ninth Street
Cleveland OH 44115
Council District 07
2. The Chairman, President and Chief Executive Officer for the vendor is Richard Chiricosta

D. Project Status and Planning

1. The project reoccurs annually.

E. Funding

1. The project is funded 91% by the Self Insurance Internal Service Fund (for County employees and their eligible dependents) and 9% by the Regional Special Revenue Fund (for Benefits Regionalization Program participants and their eligible dependents).
2. The schedule of payments is monthly by invoice.
3. The project is an amendment to a contract. This amendment changes the term from one year (2016) to two years (2016 and 2017). This amendment changes the value of the contract from \$3,724,000.000 (2016), adding an additional \$3,285,000 (2017) for a total value of \$7,009,000. This is the 1st amendment of the contract.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0226

Sponsored by: County Executive Budish/Fiscal Officer	A Resolution authorizing establishment of an underwriter pool based on an evaluation of responses to RFQ36628 consisting of local financial institutions that the County may employ to assist in any public financing arrangements; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Fiscal Officer recommends approval of the establishment of an underwriter pool consisting of local financial institutions that the County may employ to assist in any public financing arrangements; and

WHEREAS, the goal of this project is to promote diversity in the County's use of underwriters to assist in any public financing arrangements; and

WHEREAS, the pool of underwriters consists of KeyBanc Capital Markets, PNC Capital Markets LLC, and Fifth Third Securities, Inc. and is based on an evaluation of responses to RFQ36628; 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 establishment of an underwriter pool consisting of local financial institutions that the County may employ to assist in any public financing arrangements as follows:

- a) KeyBanc Capital Markets
- b) PNC Capital Markets LLC
- c) Fifth Third Securities, Inc.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20____

TO: Armond Budish, County Executive
FROM: Dennis G. Kennedy, Fiscal Officer
RE: Recommendation of Underwriter Selections
DATE: November 15, 2016

A review committee comprised of Trevor McAleer, Chris Glassburn and me evaluated proposals from a variety of respondents who offered services to Cuyahoga County as a financial advisor and/or for underwriting services. The committee previously recommended an award to Stifel Financial Corp. (Mr. Offtermatt) to serve as the financial advisor to the County. Subsequent to that recommendation and award, the committee began an evaluation of responses received for the RFQ #36628 for underwriting services.

After review of the RFQ responses, the committee is recommending establishment of a pool of underwriters, made up of local financial institutions that the County may employ to assist in any public financing arrangements that are approved by the County Council and Executive.

Based on our review, discussions and deliberations, the committee is recommending we proceed with a pool of underwriters made up of the following financial institutions/entities:

- KeyBanc Capital Markets
- PNC
- Fifth Third Securities

The Committee disqualified Stifel Financial Corp. from consideration as an underwriter due to the aforementioned award to the firm for financial advisory services.

The following entities responded to the RFQ but were considered by the committee to have deficiencies in service or price provisions as compared to the local financial institutions:

- Red Horse Financial Group, Inc.
- J. P. Morgan
- Wells Fargo Securities
- William Blair & Company
- RBC Capital Markets
- Rockfleet Financial Services, Inc.

Additionally, the committee is recommending issuance of a RFQ for SBE related underwriting services to insure that the County is promoting diversity in its use of underwriters to assist in any future bond issues.

The Committee is recommending establishment of an underwriter pool consisting of KeyBanc, PNC and Fifth Third Securities for a period of 18 months from the date of authorization. We will begin work on preparation and issuance of a RFQ for SBE underwriting services shortly. Our goal is to have a list of SBE underwriters selected by the end of January 2017.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0227

Sponsored by: County Executive Budish/Fiscal Officer	A Resolution authorizing an amendment to Contract No. CE1500235-01 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$1,939,658.00; 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/Fiscal Officer has authorized an amendment to Contract No. CE1500235-01 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$1,939,658.00; and

WHEREAS, the primary goal of this project is to provide software implementation services for the Real Property Tax System; and

WHEREAS, the project is funded by the Real Estate Assessment Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1500235-01 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$1,939,658.00.

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

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

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

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

Yeas:

Nays:

County Council President Date _____

County Executive Date _____

Clerk of Council Date _____

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

Journal _____
_____, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0228

Sponsored by: County Executive Budish/Fiscal Officer	A Resolution authorizing an amendment to Contract No. CE1500236-01 with N. Harris Computer Corporation for software licenses for the Real Property Tax System, effective 10/1/2015, to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$805,930.00; 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/Fiscal Officer has authorized an amendment to Contract No. CE1500236-01 with N. Harris Computer Corporation for software licenses for the Real Property Tax System, effective 10/1/2015, to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$805,930.00; and

WHEREAS, the primary goal of this project is to provide licenses to utilize the software on the designated computer system; and

WHEREAS, the funding for this project is from the Real Estate Assessment Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1500236-01 with N. Harris Computer Corporation for software licenses for the Real Property Tax System, effective 10/1/2015, to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$805,930.00.

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

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

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

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

Yeas:

Nays:

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

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

Journal _____
_____, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0229

Sponsored by: County Executive Budish/Fiscal Officer	A Resolution authorizing an amendment to Contract No. CE1500237-01 with N. Harris Computer Corporation for support and maintenance services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$337,348.00; 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/Fiscal Officer has authorized an amendment to Contract No. CE1500237-01 with N. Harris Computer Corporation for support and maintenance services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$337,348.00; and

WHEREAS, the primary goal of this project is to provide support and maintenance services associated with the use of software for the Real Property Tax System; and

WHEREAS, the funding for this project is from the Real Estate Assessment Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1500237-01 with N. Harris Computer Corporation for support and maintenance services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to change the scope of services, effective 1/1/2017, and for additional funds in the amount not-to-exceed \$337,348.00.

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

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

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

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

Yeas:

Nays:

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

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

Journal _____
_____, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0230

Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution authorizing a contract with United Way of Greater Cleveland in the amount not-to-exceed \$1,095,450.00 for fiscal agent services for emergency food purchases for Cuyahoga County residents for the period 1/1/2017 - 12/31/2017; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services has recommended a contract with United Way of Greater Cleveland in the amount not-to-exceed \$1,095,450.00 for fiscal agent services for emergency food purchases for Cuyahoga County residents for the period 1/1/2017 - 12/31/2017; and

WHEREAS, the primary goal of this project is to serve as fiscal agent to perform administrative duties related to the distribution, monitoring and oversight of Cuyahoga County funds to meet the emergency food needs of residents in the County; and

WHEREAS, this project is funded 100% by the Health and Human Services Levy; 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 United Way of Greater Cleveland in the amount not-to-exceed \$1,095,450.00 for fiscal agent services for emergency food purchases for Cuyahoga County residents for the period 1/1/2017 - 12/31/2017.

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. 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 _____
_____, 2016

Item No. 3

Funding Source: Health and Human Services Levy

1. Description of Supplies or Services (If contract amendment, please identify contract time period and/or scope change).

United Way of Greater Cleveland serves as the fiscal agent and provides administrative oversight of County funds related to the purchase and distribution of emergency food needs in the County.

Currently, the Hunger Network of Greater Cleveland on behalf of their 35 affiliated Hunger Centers purchase food from the Cleveland Foodbank. The Cleveland Foodbank is responsible to ensure there is a diverse inventory of food.

This contract is for the period of January 1, 2017 to December 31, 2017.

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

The estimated dollar value is \$1,095,450.00.

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

Funding source is 100% HHS Levy Dollars.

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

There was no formal procurement method selected; rather this was a result of ongoing discussions between the Executive Office of Cuyahoga County and United Way of Greater Cleveland.

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

NA

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

The Federal Emergency Management Agency/Emergency Food and Shelter Program (FEMA/EFSP) Cuyahoga County Local Board, which is staffed by United Way of Greater Cleveland has the capability to administer these resources and can ensure funds will be allocated based upon community need.

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.

NA

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

While our plan is to continue providing financial support to the Hunger Centers with respect to the procurement process, we will defer to the County Executive Office for future direction.

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0206

Sponsored by: County Executive Budish	A Resolution approving an agreement with City of Cleveland for the period 8/1/2015 - 7/31/2035 for the purpose of distributing alcohol and cigarette excise tax proceeds; 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, pursuant to Resolution No. R2014-0002 adopted by this Council on January 28, 2014, this Council caused to be submitted to the electors of Cuyahoga County at the special election on May 6, 2014 the question of whether to extend an excise tax on alcohol and cigarette sales for the purpose of paying the costs of constructing, renovating, improving, or repairing sports facilities and reimbursing the county for costs incurred by the county in the construction of sports facilities; and,

WHEREAS, that ballot measure received a majority affirmative vote of the electors of Cuyahoga County and, consequently, the taxes thereby levied (the "County Excise Tax") went into effect beginning August 1, 2015; and,

WHEREAS, pursuant to Resolution No. R2015-0210 adopted by this Council, Cuyahoga County issued County Excise Tax revenue bonds in the aggregate principal amount of \$60,485,000 pursuant to Ohio Revised Code Chapters 133 and 307 for the purpose of paying the costs of constructing, renovating, improving or repairing sports facilities and for the purpose of paying any capitalized interest on the Bonds; and,

WHEREAS, the County Executive desires to enter into an agreement with the City of Cleveland for the purpose of equitably distributing the County Excise Tax; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby approves the attached agreement with City of Cleveland for the period 8/1/2015 - 7/31/2035 for the purpose

of distributing the County Excise Tax proceeds to pay the costs of constructing, renovating, improving or repairing sports facilities.

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

SECTION 3. To the extent an exemption from competitive bidding is needed, it is hereby granted.

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: November 15, 2016
Committee(s) Assigned: Committee of the Whole

Committee Report/Second Reading: November 29, 2016

Journal _____
_____, 20__

ALLOCATION AGREEMENT

THIS ALLOCATION AGREEMENT (this “Agreement”), is made and entered into as of November __, 2016 (the “Effective Date”), by and among the COUNTY OF CUYAHOGA, OHIO (the “County”), a county and political subdivision in and of the State of Ohio (the “State”) and duly organized and validly existing under and by virtue of the Constitution and laws of the State and its Charter, and the CITY OF CLEVELAND, OHIO (the “City”), a political subdivision of the State duly organized and validly existing under and by virtue of the Constitution and laws of the State and its Charter.

RECITALS

1. Pursuant to Resolution No. R2014-0002, adopted by the Council of the County on January 28, 2014 (the “County Excise Tax Resolution”), the Council of the County caused to be submitted to the electors of the County at the special election on May 6, 2014, the question of whether excise taxes shall continue to be levied by the County on spirituous liquor, beer, wine and other beverages and cigarettes sold in the County for 20 years beginning August 1, 2015, for the purpose of paying the cost of constructing, renovating, improving or repairing sports facilities and reimbursing the County for costs incurred by the County in the construction of sports facilities.

2. Prior to that special election, officials of the County sought the endorsement and support of officials of the City for the passage of the continuation of the levee of the excise taxes, and officials of the City, including the Mayor and the President of the Council of the City, provided that endorsement and support, based in part on the assurance from officials of the County that the proceeds of the extended excise taxes would be allocated equally to fund improvements to First Energy Stadium, Progressive Field and Quicken Arena, each as more fully defined below (the “Sports Facilities”).

3. That ballot measure received a majority affirmative vote of the electors of the County at that special election, and, consequently, the taxes thereby levied (as more fully defined below, the “County Excise Taxes”) went into effect beginning August 1, 2015.

4. The County and the City now desire to memorialize and elaborate upon their agreement on the equal, three-way split of the proceeds of the County Excise Taxes.

TERMS OF AGREEMENT

In consideration of the foregoing Recitals and other good and valuable consideration received to the full satisfaction of each of them, the parties, intending to be legally bound, hereby agree as follows:

Section 1. Defined Terms. Unless otherwise defined herein or unless the context indicates a different intent, the following capitalized words and terms used in this Agreement shall have the following meanings:

“Additional Bonds” means any Bonds issued on a parity with the Series 2015 Bonds upon the terms and conditions set forth in the Indenture.

“Allocable Excise Taxes Proceeds” means all County Excise Taxes received by, or on behalf of, the County, less any tax collection costs deducted by the State of Ohio.

“Bond Fund” means the Bond Fund established under the Indenture.

“Bond Reserve Fund” means the Bond Reserve Fund established under the Indenture.

“City’s FES Account” means the account designated as the “COPs Improvement Account of the County Contribution Fund” held by U.S. Bank as Trustee (Account No. 12-1632G).

“City’s Share” means the Allocable Excise Tax Proceeds allocable to First Energy Stadium under this Agreement.

“County Excise Tax Bonds” means the Series 2015 Excise Tax Bonds and any Additional Bonds.

“County Excise Taxes” means the excise taxes on spirituous liquor, beer, wine and other beverages and cigarettes sold in the County, the question of the continuing levy of which for 20 years beginning August 1, 2015, for the purpose of paying the cost of constructing, renovating, improving or repairing sports facilities and reimbursing the County for costs incurred by the County in the construction of sports facilities, the Council, pursuant to the County Excise Tax Resolution, caused to be submitted to the electors of the County at the special election on May 6, 2014, at which special election that ballot measure received a majority affirmative vote of the electors of the County, with the consequence that the taxes thereby levied went into effect beginning August 1, 2015.

“Facilities Improvement Fund” means the Facilities Improvement Fund Established under the Indenture.

“FES Reserve Account” means the account of that name to be established in the Facilities Improvement Fund and funded and drawn upon pursuant to Section 4(a) of this Agreement.

“First Energy Stadium” means the stadium that is known as First Energy Stadium as of the date of this Agreement, as it may be improved from time to time and regardless of any change in its name that may occur during the term of this Agreement, together with all parking facilities, walkways, and other auxiliary facilities, real and personal property, property rights, easements, and interest that may be appropriate for, or used in connection with, the operating of that facility.

“First Energy Stadium Account” means the First Energy Stadium Account to be established in the Facilities Improvement Fund pursuant to the Indenture and this Agreement.

“First Energy Stadium Bonds” means any Additional Bonds issued by the County at the request of the City to fund costs of improvements to First Energy Stadium.

“Indenture” means the Trust Indenture, between the County and Trustee, dated as of December 1, 2015, as the same has been and may be supplemented and amended from time to the time.

“Progressive Field” means the ballpark that is known as Progressive Field as of the date of this Agreement, as it may be improved from time to time and regardless of any change in its name that may occur during the term of this Agreement, together with all walkways, and other auxiliary facilities, real and personal property, property rights, easements, and interest that may be appropriate for, or used in connection with, the operating of that facility.

“Quicken Loans Arena” means the arena that is known as Quicken Loans Arena as of the date of this Agreement, as it may be improved from time to time and regardless of any change in its name that may occur during the term of this Agreement, together with all walkways, and other auxiliary facilities, real and personal property, property rights, easements, and interest that may be appropriate for, or used in connection with, the operating of that facility.

“Series 2015 Excise Tax Bonds” means the County’s \$60,485,000 Excise Tax Revenues Bonds, Series 2015 (Sports Facilities Improvement Project).

“Sports Facilities” means First Energy Stadium, Progressive Field and Quicken Loans Arena.

“Trustee” means U.S. Bank National Association, as trustee under the Indenture.

Section 2. Allocable Excise Taxes Proceeds. The Allocable Excise Taxes Proceeds, from the commencement of their levy and collection on August 1, 2015 and throughout the period of their levy and collection, shall be allocated equally among the Sports Facilities in accordance with this Agreement. Specifically, one-third of all Allocable Excise Taxes Proceeds and of each receipt thereof shall be allocated to First Energy Stadium and disbursed to fund improvements to First Energy Stadium under and in accordance with this Agreement.

(a) Interest Expense. The City’s Share will not be reduced to reflect required payments of interest on County Excise Tax Bonds other than any First Energy Stadium Bonds. To the extent that interest expenses paid on First Energy Stadium Bonds create a required use of Allocable Excise Tax Proceeds, those interest expenses will be allocated to the City’s Share.

(b) Interest Earned. The Allocable Excise Taxes Proceeds will include any interest earned on the County Excise Taxes receipts prior to their disbursement (including interest earned on the County Excise Taxes receipts while on deposit in the Facilities Improvement Fund), other than interest earned on the Bond Fund or the Bond Reserve Fund established under the Indenture. The City’s Share will not include any interest earned on the proceeds of County Excise Tax Bonds (or on moneys in the Bond Fund or the Bond Reserve Fund attributable to such Bonds) except to the extent that such proceeds derive from or relate to First Energy Stadium Bonds.

Section 3. Accounting of Allocable Excise Tax Proceeds.

(a) Initial Accounting. Within ten (10) days of the date hereof, the County will deliver to the City a certification as to (i) the amounts of the Allocable Excise Taxes Proceeds received by or on behalf of the County (including by the Trustee) since August 1, 2015 through and including October 31, 2016; (ii) the dates, amounts, recipients and purposes of disbursements of the Allocable Excise Taxes Proceeds through and including October 31, 2016 (including any disbursements made for payment of debt service charges or for other funding requirements related to the Series 2015 Excise Tax Bonds); and (iii) the balance of the Allocable Excise Taxes Proceeds held by or for the County in the Facilities Improvement Fund or otherwise legally available for disbursement of the City's one-third share of the total amount certified pursuant to (i) above.

(b) Continuing Accounting. Within ten (10) days of the end of each calendar month beginning November 2016 and ending with the calendar month in which the final collection of the County Excise Taxes occurs, the County will deliver to the City a certification as to (i) the amounts of the Allocable Excise Taxes Proceeds received by or on behalf of the County (including by the Trustee) during the preceding calendar month; and (ii) the dates, amounts, recipients and purposes of disbursements of the Allocable Excise Taxes Proceeds during the preceding calendar month (including any disbursements made for payment of debt service charges or for other funding requirements related to the Series 2015 Excise Tax Bonds).

Section 4. Allocation and Disbursement of Allocable Excise Tax Proceeds.

(a) Initial Allocation; establishment and funding of FES Reserve Account. Simultaneously with the execution of this Agreement, the County will cause the Trustee to establish a First Energy Stadium Account in the Facilities Improvement Fund established under the Indenture. Within ten (10) days of the County's delivery of the certification described in Section 3(a)(i) above, the County will cause one-third (1/3) of the amount described in clause (a) of that certification to be deposited in the First Energy Stadium Account and will provide the City with written evidence of that deposit. Pending the full funding of the required deposit to the First Energy Stadium Account, the County shall not authorize, and the Trustee shall not allow, any other deposit or disbursement of Allocable Excise Taxes Proceeds (whether from the Facilities Improvement Fund or any other source) for any purpose (except for deposits to the Bond Fund or the Bond Reserve Fund that are required under the Indenture) other than the full funding of the required deposit to the First Energy Stadium Account.

Simultaneously with the County's initial deposit in the First Energy Stadium Account, the County will cause an additional \$2,000,000 in the Facilities Improvement Fund to be deposited in the FES Reserve Account, which the County shall have established with the Trustee in the Facilities Improvement Fund. After fully funding the Bond Fund and the Bond Reserve Fund and then making all deposits to the First Energy Stadium Account then required to be made under Section 4(b) of this Agreement, and before making any other uses of the moneys in or to be deposited to the Facilities Improvement Fund, the County shall cause an additional \$1,000,000 to be deposited in the FES Reserve Account in each of the years 2017 and 2018. Moneys on deposit in the FES Reserve Account shall be used solely for the purpose of immediately curing any deficiency in any deposit in the First Energy Stadium Account pursuant

to Section 4)(b) of this Agreement. If all required deposits to the First Energy Stadium Account required to be made under this Section 4 shall have been made at the time and in the full amount required without any draws having been made on the FES Reserve Account to fund any portion of any of those deposits, then on June 30 in each of the years 2023, 2024, 2025, and 2026, \$1,000,000 shall be released from the FES Reserve Account and be available for any lawful use of moneys in the Facilities Improvement Fund. Prior to those dates, the City reserves the right to authorize and direct a release of funds from the FES Reserve Account for transfer to the First Energy Stadium Account.(b) Continuing Allocation. Within ten (10) days of the County's delivery of each certification required by Section 3(b)(i) above, the County will cause the City's Share thereof (i.e., one-third of the amount described in clause (i) of that certification) to be deposited in the First Energy Stadium Account if and to the extent not previously so deposited; provided, however, that if at the time of the delivery of any such certification, all then required deposits to the Bond Fund and the Bond Reserve Fund shall not yet have been made, then the City's Share shown on that certification, together with all previously accrued but unfunded City's Share amounts, shall accrue for funding at such time as all then required deposits to the Bond Fund and the Bond Reserve Fund shall have been made, at which point all subsequent deposits to the Facilities Improvement Fund shall be deposited in the First Energy Stadium Account until the full amount of all then accrued City's Share amounts have been funded. Pending the full funding of the required deposit to the First Energy Stadium Account, the County shall not authorize, and the Trustee shall not allow, any other deposit or disbursement of Allocable Excise Taxes Proceeds (whether from the Facilities Improvement Fund or any other source) for any purpose (except for deposits to the Bond Fund or the Bond Reserve Fund that are required under the Indenture) other than the full funding of the required deposit to the First Energy Stadium Account.

(c) Disbursement of Allocable Excise Tax Proceeds. Allocable Excise Taxes Proceeds allocated to and deposited in the First Energy Stadium Account will be disbursed only for the purpose of funding improvements to First Energy Stadium or for the purpose of funding debt service on First Energy Stadium Bonds or other debt obligations that the City may issue or incur for the purpose of funding such improvements. The City represents and warrants that (i) the moneys in the City FES Account may be used only for the purpose of funding improvements to First Energy Stadium that are qualified uses and permitted purposes for the Allocable Excise Taxes Proceeds, and (ii) the City will at all times and throughout the term of this Agreement maintain the City FES Account and the restrictions on the use of the moneys therein to conform to any comply with the preceding clause (i). At the time of the initial deposit or deposits to the First Energy Stadium Account described in Section 4(a) above and at the time of each subsequent deposit or deposits described in Section 4(b) above, the County will cause the Trustee to transfer the full balance in the First Energy Stadium Account to the City FES Account based upon the City's foregoing representations and warranties and without the requirement of subsequent requests or requisitions from the City. Before the end of each month following the month in which the initial such deposit to the City FES Account occurs, the City will provide a written report to the County regarding the amounts in which and purposes for which moneys in the City FES Account were disbursed and applied during the preceding month and the balance in the City FES Account at the end of the preceding month. In the event of the issuance of any First Energy Stadium Bonds as described in Section 5 below, the foregoing requirements for deposits to the First Energy Stadium Account and transfers to the City FES Account will be

adjusted to reflect the requirement of deposits of a portion of the City's Share to the Bond Fund or the Bond Reserve Fund.

Section 5. Issuance of Bonds. The City and the County agree that the City shall have the right to request the County to issue First Energy Stadium Bonds from time to time, subject to the requirements for the issuance of the Additional Bonds in the Indenture. The City acknowledges and agrees that the authority to authorize and issue Bonds resides exclusively with the County. The County agrees that it will not unreasonably withhold or deny its approval of any such request from the City for the issuance of First Energy Stadium Bonds, and that if it does withhold or deny any such approval, the County will deliver to the City a written statement of its reasons for doing so, and will base any decision to withhold or deny any such approval on factors other than the nature of the improvements to First Energy Stadium that the City is proposing to make, provided that they meet the requirements of the Indenture and the laws of the State under which the County Excise Taxes are levied. The County further agrees that it shall not authorize or effect the issuance of Bonds under the Indenture if (i) at the time of any such issuance, any required deposit to the First Energy Stadium Account or the FES Reserve Account under Section 4 hereof shall not have been made at the time and in the full amount required; and (ii) after the date of delivery of such Bonds, the payment of the projected Bond Service Charges on all Bonds then outstanding, would require the allocation of more than one-third of reasonably projected Allocable Excise Tax Receipts to the payment of improvements for any one particular sports facility. The County will provide advance written notice to the City of at least sixty (60) days of any issuance of Additional Bonds, and the City shall have the right to object to any such issuance if the City reasonably demonstrates to the County, at least thirty (30) days prior to any issuance, that the payment of Bond Service Charges on such Additional Bonds would impair the County's ability to effect and achieve the continued allocation of the Excise Tax Proceeds in compliance with this Agreement.

Section 6. Miscellaneous.

(a) Term of the Agreement. Unless otherwise terminated by written instrument of the City and the County, this Agreement shall be and remain in full force and effect from the date of its delivery and throughout the period of time that the County Excise Taxes are collected.

(b) Notices. All notices, certificates, requests or other communications hereunder will be in writing and will be deemed to be sufficiently given when mailed by registered or certified mail, postage prepaid, and addressed to the appropriate address listed below:

As to the County: County of Cuyahoga, Ohio
1219 Ontario Street
Cleveland, Ohio 44113
Attention: County Executive

With a copy to Director of Law

As to the City: City of Cleveland, Ohio
601 Lakeside Avenue
Cleveland, Ohio 44114
Attention: Director of Finance

With a copy to Director of Law

The County and the City, by notice given hereunder, may designate any further or different addresses to which subsequent notices, certificates, requests or other communications will be sent. Except as otherwise provided herein, the mailing of any notice will be deemed complete upon deposit of that notice in the mail and the giving of any notice by any other means of delivery will be deemed complete upon receipt of the notice by the delivery service.

(c) Extent of Covenants; No Personal Liability. All covenants, obligations and agreements of the County and the City contained in this Agreement will be effective to the extent authorized and permitted by applicable law. No such covenant, obligation or agreement will be deemed to be a covenant, obligation or agreement of any present or future member, officer, agent or employee of the County or the City in other than his or her official capacity.

(d) Binding Effect. This Agreement will inure to the benefit of and will be binding in accordance with its terms upon the County, the City, and their respective permitted successors and assigns. This Agreement may be enforced only by the Parties, their assignees and others who may, by law, stand in their respective places.

(e) Amendments and Supplements. This Agreement may be amended only by written agreement of the County and the City duly authorized by their respective governing bodies.

(f) Execution Counterparts. This Agreement may be executed in any number of counterparts as may be convenient or necessary, and it will not be necessary that the signatures of both parties hereto be contained on any one counterpart hereof. Additionally, the parties hereto agree that for purposes of facilitating the execution of this Agreement, (a) the signature pages taken from the separate individually executed counterparts of this Agreement may be combined to form multiple fully executed counterparts and (b) a facsimile transmission will be deemed to be an original signature for all purposes. All executed counterparts of this Agreement will be deemed to be originals, but all such counterparts taken together or collectively, as the case may be, will constitute one and the same agreement.

(g) Severability If any term or condition of this Agreement, or application thereof to either party or in any circumstance, shall be invalid or unenforceable to any extent, then the

remainder of this Agreement and the application of such term or condition to the other party or other circumstances shall not be affected thereby and shall be enforceable to the greatest extent permitted by applicable laws. That invalidity or unenforceability will not affect any valid and enforceable application thereof, and each such provision, covenant, obligation or agreement will be deemed to be effective, operative, made, entered into or taken in the manner and to the full extent permitted by law.

(h) Limitation of Rights With the exception of rights conferred expressly in this Agreement, nothing expressed or mentioned in or to be implied from this Agreement is intended or will be construed to give to any person other than the parties hereto any legal or equitable right, remedy, power or claim under or with respect to this Agreement or any covenants, agreements, conditions and provisions contained herein. This Agreement and all of the covenants, agreements, conditions and provisions hereof are intended to be, and are, for the sole and exclusive benefit of the parties hereto, as provided herein.

(i) Governing Law. This Agreement will be deemed to be a contract made under the laws of the State and for all purposes will be governed by and construed in accordance with the laws of the State.

(j) Facsimile Signatures. Signatures to this Agreement transmitted by facsimile shall be valid and effective to bind the party so signing. Each party agrees to promptly deliver an execution original to this Agreement with its actual signature to the other party, but a failure to do so shall not affect the enforceability of this Agreement, it being expressly agreed that each party shall be bound by its own facsimile signature and shall accept the facsimile signature of the other party.

(k) Electronic Signature. The parties agree that all documents requiring signatures by the County may be executed by electronic means, and that the electronic signatures affixed by the County to this Agreement shall have the same legal effect as if that signature was manually affixed to a paper version of this Agreement. The parties also agree that the County is bound by the provisions of Chapter 304 of the Ohio Revised Code as it pertains to electronic transactions under Chapter 1306 of the Ohio Revised Code, and the County shall comply with its electronic signature policy.

IN WITNESS WHEREOF, the County and the City have caused this Agreement to be duly executed in their respective names, all as of the date first hereinbefore written.

This document approved for legal form and correctness

COUNTY OF CUYAHOGA, OHIO

Robert Triozzi, Director of Law

By: _____
Armond Budish, County Executive

By: _____

Name: _____

Title: _____

This document approved for legal form and correctness

CITY OF CLEVELAND, OHIO

Barbara A. Langhenry, Director of Law

By: _____
Frank G. Jackson, Mayor

By: _____
Chief Assistant Law Director

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0207

Sponsored by: County Executive Budish/Department of Public Works	A Resolution approving an adjustment of the municipal boundary between Orange Village and City of Pepper Pike in connection with a portion of Lander Road, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, a portion of Lander Road, currently located in the City of Pepper Pike, as graphically depicted in Exhibit “A” and legally described in Exhibit “B,” both of which are appended hereto and incorporated herein by reference, is currently owned by the Landerwood Glen Condominium Unit Owners Association (“the Property”); and,

WHEREAS, Orange Village and the City of Pepper Pike have mutually determined that the most prudent and efficient manner to avoid confusion regarding the responsibility for maintaining a portion of Lander Road and for providing police and other emergency services to motorists, pedestrians, and others who utilize that right of way, the Property requires the adjustment of the municipal corporation boundary within the Property pursuant to Section 709.37 of the Ohio Revised Code, by causing the entire Property to be located within the corporate boundaries of Orange Village (“Proposed Boundary Adjustment”); and,

WHEREAS, the Orange Village Council and the Pepper Pike City Council each enacted legislation on February 8, 2012 and April 25, 2012, respectively, approving the Proposed Boundary Adjustment; and,

WHEREAS, Section 709.37 of the Ohio Revised Code states “[t]he ordinances setting forth such agreement shall be certified to the board of county commissioners. Upon receipt of such certified ordinances, the board shall proceed by resolution to approve such change of boundary and to make such adjustment of funds, unpaid taxes, claims, indebtedness, and other fiscal matters as the board determines to be proper. Transcripts of the ordinances, agreements, and resolution certified by the board shall be filed in the office of the secretary of state and shall also be filed and recorded in the office of the county recorder. All fees and costs for such filing shall be assumed and paid by such municipal corporations in such proportions as the board determines;” and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to ensure 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 Cuyahoga County Council hereby approves the Proposed Boundary Adjustment as specified in Orange Village Ordinance No. 2011-39 and Pepper Pike City Ordinance No. 2012-11 pursuant to Section 709.37 of the Ohio Revised Code.

SECTION 2. The County Executive and Fiscal Officer are hereby authorized to record and/or execute any documents that may be necessary to effectuate the Proposed Boundary Adjustment approved herein, and to file a certified copy of this Resolution, including the certified copies of Orange Village Ordinance No. 2011-39 and Pepper Pike City Ordinance No. 2012-11, with the Secretary of State in accordance with Section 709.37 of the Ohio Revised Code.

SECTION 3. All fees and costs of filing and recording shall be borne equally by Orange Village and the City of Pepper Pike.

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 concerning and relating to the passage of this Resolution were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, and 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: November 15, 2016

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

Committee Report/Second Reading: November 29, 2016

Journal _____
_____, 20__

1st reading _____
2nd reading _____
3rd reading _____
Voted On _____
Ayes: _____ Nays: _____
PASSED _____ DEFEATED _____

ORDINANCE NO. 2011-39

AN ORDINANCE
AGREEING TO CHANGE A PORTION OF THE
BOUNDARY OF ORANGE VILLAGE WITH THE CITY
OF PEPPER PIKE.

WHEREAS, pursuant to Section 709.37 of the Ohio Revised Code, "any two adjoining municipal corporations may, by ordinance of their respective legislative authorities, agree to a change in the boundary line separating such municipal corporations, provided such change does not involve the transfer of territory, inhabited by more than five voters, from one to the other or from each to the other"; and

WHEREAS, this Council finds and determines that a boundary adjustment of a portion of the boundary of Orange Village with the City of Pepper Pike is necessary in order to avoid confusion regarding the responsibility for maintaining a portion of Lander Road and of providing police and other emergency services to motorists, pedestrians and others who utilize that right of way; and

WHEREAS, this Council is willing to accept responsibility for that portion of Lander Road which is currently located in the City of Pepper Pike, as graphically depicted in "Exhibit A" and legally described in "Exhibit B," both of which are appended hereto and incorporated herein by reference; and

WHEREAS, the owner of the property, the Landerwood Glen Condominium Unit Owners Association, would benefit from the boundary line adjustment because after the adjustment, its property would be subject to the laws of just one municipality; and

WHEREAS, the proposed boundary adjustment would not affect any voters in either municipality and would be in the best interests of both municipalities.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF ORANGE VILLAGE, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That this Council hereby agrees to a boundary adjustment with the City of Pepper Pike and requests that Cuyahoga County adjust the boundaries of Orange

Village and the City of Pepper Pike in the manner provided by law so that the municipal boundary between the two communities as is graphically depicted in "Exhibit A," and to take such further actions as may be required by law.

SECTION 2. That Orange Village agrees to pay an equal share of the costs of this boundary adjustment with the City of Pepper Pike.

SECTION 3. That the Clerk of Council is hereby authorized and directed to certify a copy of this ordinance to the Cuyahoga County Executive.

SECTION 4. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: February 8, 2012

Mark A Parks
Council President

Submitted to the Mayor for approval on this 8th day of Feb., 2012

Approved by the Mayor this 8th day of February, 2012

ATTEST:

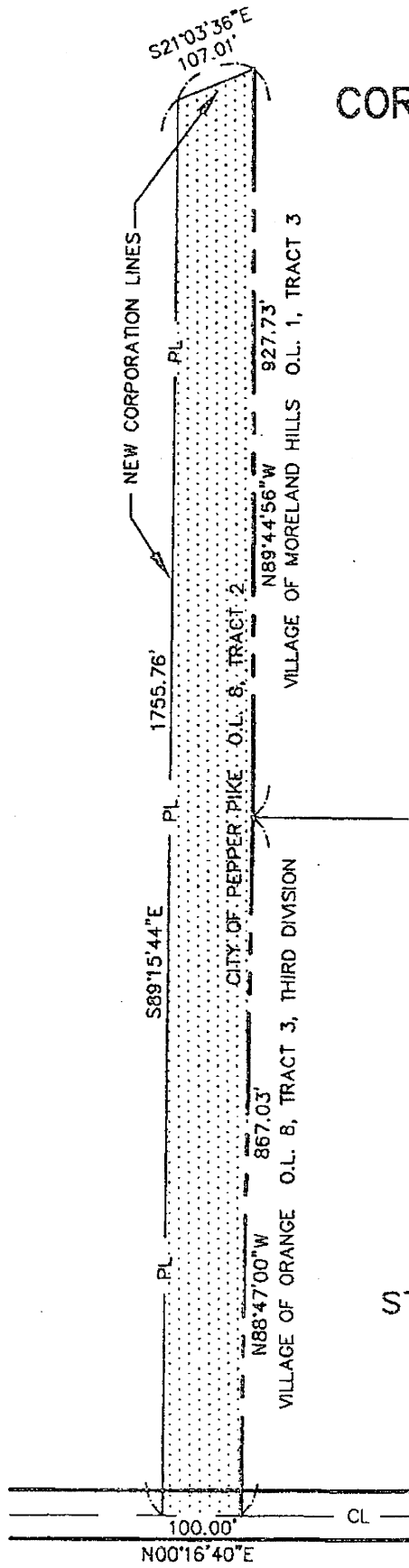
Mary Kampner
Clerk of Council

Kathy Mulcahy
Mayor

Mary Catherine Knight Clerk of Council
I hereby certify that this to be a true and
current copy of the original 2011-39
filed at Grange Village, Cuyahoga County,
State of Ohio.

Mary Catherine Knight
Clerk of Council

VILLAGE OF ORANGE
CORPORATION LINE RELOCATION



STEPHEN HOVANCSEK & ASSOCIATES
 CONSULTING ENGINEERS
 2 MERIT DRIVE RICHMOND HEIGHTS, OHIO
 PHONE 216-731-6255

SCALE: 1"=200'
 DATE: 11/28/2011
 JOB NO. 11-177

EXHIBIT A



STEPHEN HOVANCSEK & ASSOCIATES, INC.

Consulting Engineers & Planners

TWO MERIT DRIVE • RICHMOND HEIGHTS, OHIO 44143

(216) 731-6255

FAX No: (216) 731-4483

**LEGAL DESCRIPTION
CORPORATION LINE RELOCATION
LANDERWOOD GLEN CONDOMINIUMS PROPERTY**

Situated in the City of City of Pepper Pike, County of Cuyahoga and State of Ohio and known as being part of the lands conveyed to Treuhaft-English Development Company, by deed recorded in Volume 15011, Page 943 of Cuyahoga County Records of part of Original Orange Township Lot No. 8, Tract No. 2:

Beginning at a point in the centerline of Lander Road, 60 feet wide at the Northwestern corner of aforesaid land conveyed to Treuhaft-English Development Company, also being the Northwestern corner of Landerwood Glen Condominium Number One as shown by the plat recorded in Volume 43, Page 9 of Cuyahoga County Condominium Records:

Thence South $89^{\circ}15'44''$ East, along the Northerly line of said lands a distance of 1755.76 feet to the Northeasterly corner thereof;

Thence South $21^{\circ}03'36''$ East, along the Easterly line of said lands a distance of 107.01 feet to a point in the Southerly line of Original Orange Township Lot No. 8, Tract 2;

Thence North $89^{\circ}44'56''$ West, along said Southerly line a distance of 927.73 feet to an angle point therein;

Thence North $88^{\circ}47'00''$ West, continuing along said Southerly line a distance of 867.03 feet to a point in the centerline of Lander Road;

Thence North $0^{\circ}16'40''$ East, along said centerline a distance of 100.00 feet to the principal place of beginning and containing 4.218 acres (183,730 square feet) of land, as described by Stephen Hovancsek & Associates, Inc., in November, 2011 under the direction of Robert Smoltz, Registered Surveyor No. 6763, State of Ohio, be the same more or less but subject to all legal highways.

The basis of bearing for this description being as established on the aforesaid plat recorded in Volume 43, Page 9 of Cuyahoga County Condominium Records.

G:\2011\11-177 ORANGE VILLAGE CORP LINE\Word\111128_Corplinc-Legal.doc

EXHIBIT B

ORDINANCE NO. 2012-11
INTRODUCED BY: MS. ZIMON

CUYAHOGA COUNTY
OFFICE OF FISCAL OFFICER - 4
DEAF 2/23/2016 11:15:51 AM
201602230240

AN ORDINANCE
AGREEING TO CHANGE A PORTION OF THE
BOUNDARY OF PEPPER PIKE WITH ORANGE
VILLAGE.

WHEREAS, pursuant to Section 709.37 of the Ohio Revised Code, "any two adjoining municipal corporations may, by ordinance of their respective legislative authorities, agree to a change in the boundary line separating such municipal corporations, provided such change does not involve the transfer of territory, inhabited by more than five voters, from one to the other or from each to the other"; and

WHEREAS, this Council finds and determines that a boundary adjustment of a portion of the boundary of the City of Pepper Pike with Orange Village is necessary in order to avoid confusion regarding the responsibility for maintaining a portion of Lander Road and of providing police and other emergency services to motorists, pedestrians and others who utilize that right of way; and

WHEREAS, Orange Village is willing to accept responsibility for that portion of Lander Road which is currently located in the City of Pepper Pike, as graphically depicted in "Exhibit A" and legally described in "Exhibit B," both of which are appended hereto and incorporated herein by reference; and

WHEREAS, the owner of the property, the Landerwood Glen Condominium Unit Owners Association, would benefit from the boundary line adjustment because after the adjustment, its property would be subject to the laws of just one municipality; and

WHEREAS, the proposed boundary adjustment would not affect any voters in either municipality and would be in the best interests of both municipalities.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PEPPER PIKE, COUNTY OF CUYAHOGA, STATE OF OHIO THAT:

SECTION 1. That this Council hereby agrees to a boundary adjustment with Orange Village and requests that Cuyahoga County adjust the boundaries of the City of Pepper Pike and Orange Village in the manner provided by law so that the municipal boundary between the two communities as is graphically depicted in "Exhibit A," and to take such further actions as may be required-by-law.

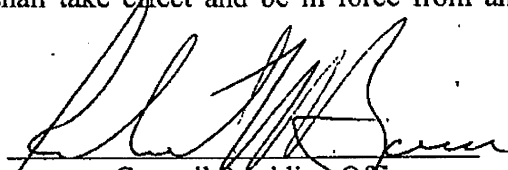
SECTION 2. That the City of Pepper Pike agrees to pay an equal share of the costs of this boundary adjustment with Orange Village.

SECTION 3. That the Clerk of Council is hereby authorized and directed to certify a copy of this ordinance to the Cuyahoga County Executive.

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 5. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: April 25, 2012

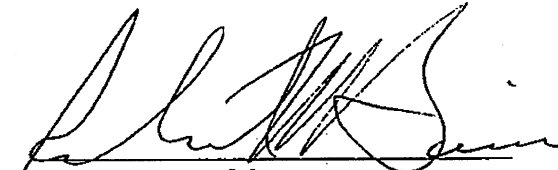

Council Presiding Officer

Submitted to the Mayor for approval on this 25th day of April, 2012

Approved by the Mayor this
25th day of April, 2012

ATTEST:

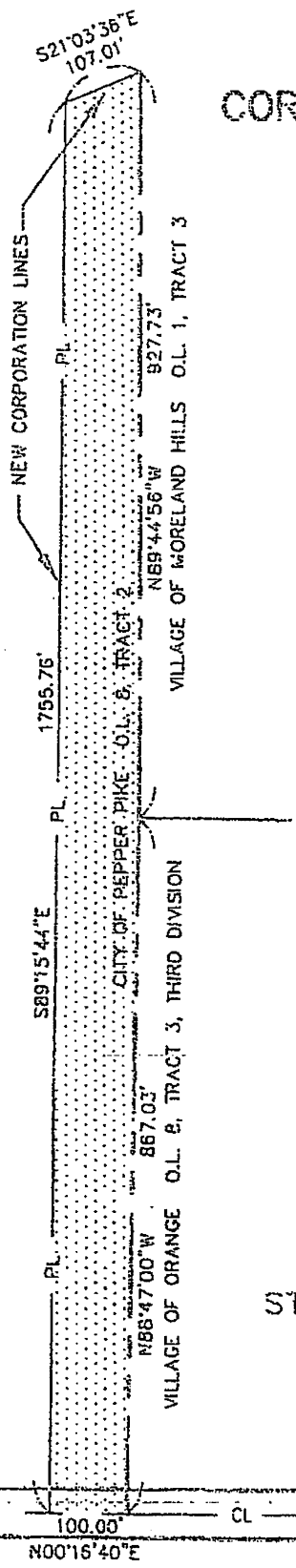

Clerk of Council


Mayor

This is to certify that the above is a true correct copy of ORDINANCE 2012-11 passed by the Council of the City of Pepper Pike at its meeting on APRIL 25, 2012


CLERK OF COUNCIL

VILLAGE OF ORANGE
CORPORATION LINE RELOCATION



STEPHEN HOVANCSEK & ASSOCIATES
 CONSULTING ENGINEERS
 2 MERIT DRIVE RICHMOND HEIGHTS, OHIO
 PHONE 216-731-6255

SCALE: 1" = 200'
 DATE: 11/28/2011
 JOB NO. 11-177

EXHIBIT A



STEPHEN HOVANCSEK & ASSOCIATES, INC.

Consulting Engineers & Planners

TWO MERIT DRIVE - RICHMOND HEIGHTS, OHIO 44143

(216) 731-6255

FAX NR (216) 731-4403

LEGAL DESCRIPTION
CORPORATION LINE RELOCATION
LANDERWOOD GLEN CONDOMINIUMS PROPERTY

Situated in the City of City of Pepper Pike, County of Cuyahoga and State of Ohio and known as being part of the lands conveyed to Treuhaff-English Development Company, by deed recorded in Volume 15011, Page 943 of Cuyahoga County Records of part of Original Orange Township Lot No. 8, Tract No. 2:

Beginning at a point in the centerline of Lander Road, 60 feet wide at the Northwestern corner of aforesaid land conveyed to Treuhaff-English Development Company, also being the Northwestern corner of Landerwood Glen Condominium Number One as shown by the plat recorded in Volume 43, Page 9 of Cuyahoga County Condominium Records:

Thence South $89^{\circ}15'44''$ East, along the Northerly line of said lands a distance of 1755.76 feet to the Northeastly corner thereof:

Thence South $21^{\circ}03'36''$ East, along the Easterly line of said lands a distance of 107.01 feet to a point in the Southerly line of Original Orange Township Lot No. 8, Tract 2:

Thence North $89^{\circ}44'56''$ West, along said Southerly line a distance of 927.73 feet to an angle point therein:

Thence North $88^{\circ}47'00''$ West, continuing along said Southerly line a distance of 867.03 feet to a point in the centerline of Lander Road:

Thence North $0^{\circ}16'40''$ East, along said centerline a distance of 100.00 feet to the principal place of beginning and containing 4.218 acres (183,730 square feet) of land, as described by Stephen Hovancsek & Associates, Inc., in November, 2011 under the direction of Robert Smoltz, Registered Surveyor No. 6763, State of Ohio, be the same more or less but subject to all legal highways.

The basis of bearing for this description being as established on the aforesaid plat recorded in Volume 43, Page 9 of Cuyahoga County Condominium Records.

G:\2011\11-17\ORANGE VILLAGE CORP LINE\Word\111128_Corpline-Legal.doc

EXHIBIT B

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0211

<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 replacement of Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn; total estimated project cost \$3,025,000.00; 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 replacement of Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn; and

WHEREAS, the estimated project cost is \$3,025,000.00; and

WHEREAS, that special assessments are not to be levied nor collected to pay for any part of the County's costs of said improvement; and

WHEREAS, this project will be funded 20% with the County Road & Bridge fund and 80% from Federal Funds; 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 Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn, Council District 6; and

WHEREAS, the anticipated start date for construction of this project is 2020; 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 declares that public convenience and welfare requires replacement of Memphis Road Bridge No. 00.62 over CSXT Railroad in the City of Brooklyn.

SECTION 2. That special assessments are not to be levied nor collected to pay 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 in connection with this project.

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: November 15, 2016

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

Committee Report/Second Reading: November 29, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0212

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p>	<p>A Resolution making an award on RQ36295 to Burgess & Niple, Inc. in the amount not-to-exceed \$740,169.00 for design engineering services for improvement of Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer recommended an award on RQ36295 to Burgess & Niple, Inc. in the amount not-to-exceed \$740,169.00 for design engineering services for improvement of Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View; and

WHEREAS, the primary goal of this project is to prepare construction plans and specifications required to address the infrastructure needs of the County owned and maintained structure known as the Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View in Council District 6; and

WHEREAS, the anticipated start date of this project is 4/1/2017 and the anticipated completion date is 10/1/2018; and

WHEREAS, the engineering services for this project will be funded 100% from the County's Road and Bridge fund; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operations 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 RQ36295 to Burgess & Niple, Inc. in the amount not-to-exceed \$740,169.00 for design engineering services for improvement of Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View.

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

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

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

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

Yeas:

Nays:

_____ Date

_____ Date

Clerk of Council

Date

First Reading/Referred to Committee: November 15, 2016

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

Committee Report/Second Reading: November 29, 2016

Journal _____

_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0214

Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer	A Resolution authorizing the Director of Public Works to execute and submit a loan application in the amount of \$1,500,000.00 to Ohio Water Development Authority to finance sewer repairs in connection with the Bagley Road Water/Sewer/Resurfacing Project in Olmsted Township for the period 4/1/2017 - 10/1/2018; authorizing the County Executive to accept said loan, if approved, and to execute the agreement and all other documents required in connection with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended authorizing the Director of Public Works to execute and submit a loan application in the amount of \$1,500,000.00 to Ohio Water Development Authority to finance sewer repairs in connection with the Bagley Road Water/Sewer/Resurfacing Project in Olmsted Township for the period 4/1/2017 - 10/1/2018; and

WHEREAS, the purpose of this project is to obtain a loan in order to finance the cost of repairs in connection with the Bagley Road Water/Sewer/Resurfacing Project in Olmsted Township, Council District 5; and

WHEREAS, the project is scheduled to begin 4/1/2017 and to be completed 10/1/2018; 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 operations 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 the Director of Public Works to execute and submit a loan application in the amount of \$1,500,000.00 to Ohio Water Development Authority to finance sewer repairs in

connection with the Bagley Road Water/Sewer/Resurfacing Project in Olmsted Township for the period 4/1/2017 - 10/1/2018.

SECTION 2. That the County Executive is authorized to accept said loan, if approved, and to execute the agreement and all other documents required in connection with said loan 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: November 15, 2016
Committee(s) Assigned: Public Works, Procurement & Contracting

Committee Report/Second Reading: November 29, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0218

Sponsored by: County Executive Budish/Department of Development	A Resolution authorizing an Economic Development Fund Redevelopment and Modernization Loan in the amount not-to-exceed \$2,500,000.00 to Detroit Shoreway Community Development Organization for the benefit of a project located at 11801-11825 Lorain Avenue in the City of 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.
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WHEREAS, the County Executive/Department of Development has recommended an Economic Development Fund Redevelopment and Modernization Loan in the amount not-to-exceed \$2,500,000.00 to Detroit Shoreway Community Development Organization for the benefit of a project located at 11801-11825 Lorain Avenue in the City of Cleveland; and

WHEREAS, the primary goals of this project are to redevelop and restore 25,160 square feet of space in order to create a Variety Theater Complex along Lorain Avenue from West 110th Street to West 123rd Street in the City of Cleveland, Council District 3; and

WHEREAS, upon completion, this project is anticipated to create one hundred and ten (110) permanent employment positions in two (2) years; and

WHEREAS, the total cost of this project is \$13,600,000.00 of which the County will loan \$2,500,000.00 with a term of twenty (20) years at an interest rate of two percent (2%); and

WHEREAS, the proposed funding sources for the loan are \$1,500,000.00 from the Cuyahoga County Job Creation Fund and \$1,000,000.00 from the Casino Revenue Fund; and

WHEREAS, the project will be subject to the following, as applicable, and without limitation: the County's SBE Policy, adopted October 29, 2009; execution of a Workforce Development Agreement; submission of annual job creation/retention

reporting; and payment of prevailing wages for that portion of the project funded by the County loan authorized herein; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes an Economic Development Fund Redevelopment and Modernization Loan in the amount not-to-exceed \$2,500,000.00 to Detroit Shoreway Community Development Organization for the benefit of a project located at 11801-11825 Lorain Avenue in the City of Cleveland.

SECTION 2. That the County Executive and/or Director of Development are authorized to execute all documents consistent with said loan and this Resolution.

SECTION 3. This Resolution shall sunset twelve (12) months after County Council approval should the authorized action have not occurred by that date. In the event this Resolution sunsets prior to the authorized action taking place, the Director of Development shall notify the Clerk of Council in writing. The Clerk of Council shall record the sunseting of this Resolution in the Council's Journal.

SECTION ~~3~~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 45. 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: November 15, 2016

Committee(s) Assigned: Community Development

Legislation Substituted in Committee: November 22, 2016

Committee Report/Second Reading: November 29, 2016

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0192

<p>Sponsored by: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division</p> <p>Co-sponsored by: Councilmember Hairston</p>	<p>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.</p>
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WHEREAS, the County Executive on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division recommended 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; and

WHEREAS, the primary goal of this project is to provide a day report center for Court-involved youth as an alternative to secure detention; and

WHEREAS, this project is funded 99% by Title IV-E and 1% by RECLAIM Ohio Grant 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 operations 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 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.

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

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council,

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

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

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

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: October 11, 2016
Committee(s) Assigned: Public Safety & Justice Affairs

Additional Sponsorship Requested: November 15, 2016

Journal CC024
November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0208

Sponsored by: County Executive Budish/Department of Public Works	A Resolution approving the vacation of a certain portion of Warrensville Center Road to the City of Shaker Heights in connection with the Van Aken Project; authorizing the County Executive to execute all documents required in connection with said transaction; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has requested approval of the County's vacationing of that certain portion of Warrensville Center Road located in the City of Shaker Heights, Ohio (the "Property") as more particularly shown on the "Vacation Plat" dated June 24, 2016 and prepared by GPD Group, a copy of which is attached hereto as Exhibit A (the "Vacation Plat"), to the City of Shaker Heights in connection with a mixed-use real estate development project (the "Van Aken Project"); and

WHEREAS, pursuant to the authority granted under Ohio Revised Code §5553.02, County Council is authorized to vacate a public road, or a portion thereof, when it is of the opinion that it will be for the public convenience or welfare to do so; and

WHEREAS, pursuant to Ohio Revised Code §5553.05, County Council held a public hearing and viewed the proposed vacation on or about November 16, 2016, and held a final hearing on the proposed vacation on or about November 29, 2016 in Cuyahoga County Council Chambers; and

WHEREAS, in accordance with Ohio Revised Code §5553.06, the County Engineer has certified the accuracy of the attached Vacation Plat, has furnished an accurate and detailed description of each tract of land for the proposed vacation, and has made a report in writing to County Council on or before the November 29, 2016 final hearing; and

WHEREAS, County Council has determined that the vacation of the Property is for the public convenience or welfare and therefore should be properly vacated pursuant to §5553.04 of the Ohio Revised Code; 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 certain portion of Warrensville Center Road located in the City of Shaker Heights, Ohio, as more particularly shown on the Vacation Plat dated June 24, 2016 and prepared by GPD Group, a copy of which is attached hereto as Exhibit A, is hereby vacated to the City of Shaker Heights, and that such Vacation Plat shall be recorded by the Cuyahoga County Department of Public Works upon receipt of a certified copy of this Resolution.

SECTION 2. That the County Executive is authorized to execute and record the Vacation Plat and to execute any other documents required to effectuate such vacation consistent with this Resolution.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 15, 2016

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

Legislation Amended in Committee: November 16, 2016

Journal CC024

November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0209

Sponsored by: County Executive Budish/Department of Public Works	A Resolution approving the vacation of a certain portion of Warrensville Center Road to Van Aken Shopping Center, Ltd. in connection with the Van Aken Project; authorizing the County Executive to execute all documents required in connection with said transaction; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has requested approval of the County's vacationing of that certain portion of Warrensville Center Road located in the City of Shaker Heights, Ohio (the "Property") as more particularly shown on the "Vacation Plat" dated June 24, 2016 and prepared by GPD Group, a copy of which is attached hereto as Exhibit A (the "Vacation Plat"), to Van Aken Shopping Center, Ltd. in connection with a mixed-use real estate development project (the "Van Aken Project"); and

WHEREAS, pursuant to the authority granted under Ohio Revised Code §5553.02, County Council is authorized to vacate a public road, or a portion thereof, when it is of the opinion that it will be for the public convenience or welfare to do so; and

WHEREAS, pursuant to Ohio Revised Code §5553.05, County Council held a public hearing and viewed the proposed vacation on or about November 16, 2016, and held a final hearing on the proposed vacation on or about November 29, 2016 in Cuyahoga County Council Chambers; and

WHEREAS, in accordance with Ohio Revised Code §5553.06, the County Engineer has certified the accuracy of the attached Vacation Plat, has furnished an accurate and detailed description of each tract of land for the proposed vacation, and has made a report in writing to County Council on or before the November 29, 2016 final hearing; and

WHEREAS, County Council has determined that the vacation of the Property is for the public convenience or welfare and therefore should be properly vacated pursuant to §5553.04 of the Ohio Revised Code; 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 certain portion of Warrensville Center Road located in the City of Shaker Heights, Ohio, as more particularly shown on the Vacation Plat dated June 24, 2016 and prepared by GPD Group, a copy of which is attached hereto as Exhibit A is hereby vacated to Van Aken Shopping Center, Ltd., and that such Vacation Plat shall be recorded by the Cuyahoga County Department of Public Works upon receipt of a certified copy of this Resolution.

SECTION 2. That the County Executive is authorized to execute and record the Vacation Plat and to execute any other documents required to effectuate such vacation consistent with this Resolution.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: November 15, 2016

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

Legislation Amended in Committee: November 16, 2016

Journal CC024

November 29, 2016

Exhibit A

Vacation Plat

VACATION PLAT

PORTIONS OF VAN AKEN BOULEVARD AND
WARRENSVILLE CENTER ROAD
PART OF ORIGINAL WARRENSVILLE TOWNSHIP LOT 56
CITY OF SHAKER HEIGHTS, CUYHOGA COUNTY, OHIO
SEPTEMBER 9, 2016

PROJECT LOCATION MAP

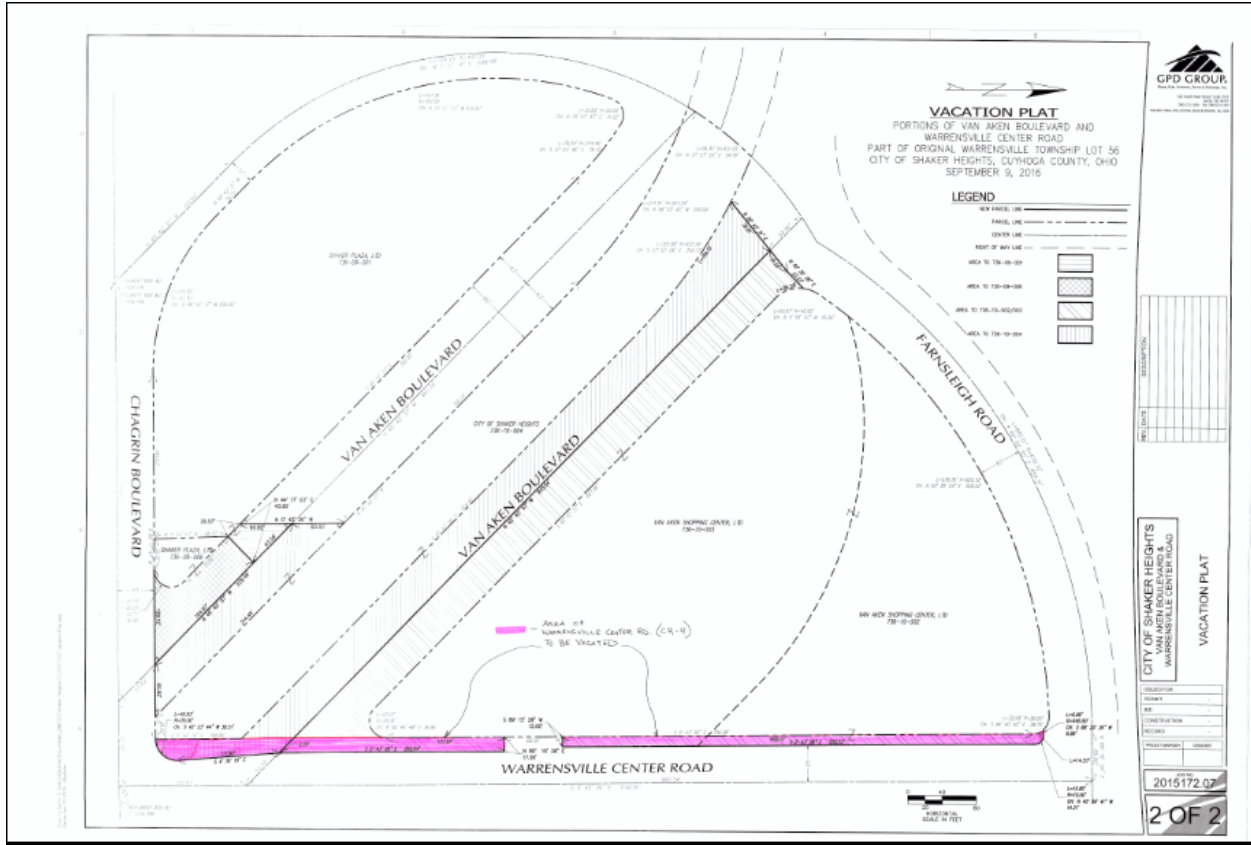
1"=200'

VACATED ADDRESS TABLE			
PARCEL NUMBER	ORIGINAL STREET ADDRESS	NEW STREET ADDRESS	NEW PARCEL NUMBER
16-08-001	2418 PARK	1188 1/2	2304 1/2 2001
16-08-002	2417 PARK	1188 1/2	2304 1/2 2002
16-08-003	2416 PARK	1188 1/2	2304 1/2 2003
16-08-004	2415 PARK	1188 1/2	2304 1/2 2004
16-08-005	2414 PARK	1188 1/2	2304 1/2 2005
16-08-006	2413 PARK	1188 1/2	2304 1/2 2006
16-08-007	2412 PARK	1188 1/2	2304 1/2 2007
16-08-008	2411 PARK	1188 1/2	2304 1/2 2008
16-08-009	2410 PARK	1188 1/2	2304 1/2 2009
16-08-010	2409 PARK	1188 1/2	2304 1/2 2010
16-08-011	2408 PARK	1188 1/2	2304 1/2 2011
16-08-012	2407 PARK	1188 1/2	2304 1/2 2012
16-08-013	2406 PARK	1188 1/2	2304 1/2 2013
16-08-014	2405 PARK	1188 1/2	2304 1/2 2014
16-08-015	2404 PARK	1188 1/2	2304 1/2 2015
16-08-016	2403 PARK	1188 1/2	2304 1/2 2016
16-08-017	2402 PARK	1188 1/2	2304 1/2 2017
16-08-018	2401 PARK	1188 1/2	2304 1/2 2018
16-08-019	2400 PARK	1188 1/2	2304 1/2 2019
16-08-020	2399 PARK	1188 1/2	2304 1/2 2020
16-08-021	2398 PARK	1188 1/2	2304 1/2 2021
16-08-022	2397 PARK	1188 1/2	2304 1/2 2022
16-08-023	2396 PARK	1188 1/2	2304 1/2 2023
16-08-024	2395 PARK	1188 1/2	2304 1/2 2024
16-08-025	2394 PARK	1188 1/2	2304 1/2 2025
16-08-026	2393 PARK	1188 1/2	2304 1/2 2026
16-08-027	2392 PARK	1188 1/2	2304 1/2 2027
16-08-028	2391 PARK	1188 1/2	2304 1/2 2028
16-08-029	2390 PARK	1188 1/2	2304 1/2 2029
16-08-030	2389 PARK	1188 1/2	2304 1/2 2030

CITY OF SHAKER HEIGHTS
VAN AKEN BOULEVARD &
WARRENSVILLE CENTER ROAD
VACATION PLAT

DESCRIPTION	-
PERMITS	-
SET	-
CONSTRUCTION	-
RECORDS	-
REGISTER NUMBER	2016172.07
DATE	2016172.07

1 OF 2



County Council of Cuyahoga County, Ohio

Resolution No. R2016-0210

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing a Memorandum of Agreement with Federal Aviation Administration in connection with the Air Traffic Control Tower Land Site located at the Cuyahoga County Airport for the period 10/1/2016 - 9/30/2036; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of Finance and Planning has recommended a Memorandum of Agreement with the Federal Aviation Administration (“FAA”) in connection with the Air Traffic Control Tower Land Site at the Cuyahoga County Airport for the period 10/1/2016 – 9/30/2036; and

WHEREAS, the County agrees to lease to the FAA certain property at the Cuyahoga County Airport to construct, operate, and maintain an FAA Air Traffic Control Tower; and

WHEREAS, the County agrees to provide certain operation and maintenance to FAA owned navigation, communication and weather aids for the support of Air Traffic Operations; and

WHEREAS, County Council has determined that entering into the proposed Memorandum of Agreement is in the best interest of the County; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a Memorandum of Agreement with Federal Aviation Administration in connection with the Air Traffic Control Tower Land Site located at the Cuyahoga County Airport for the period 10/1/2016 - 9/30/2036.

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

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 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: November 15, 2016
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC024
November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0213

Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer	A Resolution authorizing an agreement with Northeast Ohio Regional Sewer District in the amount not-to-exceed \$800,000.00 for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018, 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 recommended an agreement with Northeast Ohio Regional Sewer District in the amount not-to-exceed \$800,000.00 for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018; and

WHEREAS, the primary goal of this project is disposal of sewer wastewater grit at a certified disposal site; and

WHEREAS, this project is funded 100% by the Sanitary Sewer 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 operations 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 Northeast Ohio Regional Sewer District in the amount not-to-exceed \$800,000.00 for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018.

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

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the

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

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

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

Yeas:

Nays:

_____ Date

County Council President

_____ Date

County Executive

_____ Date

Clerk of Council

First Reading/Referred to Committee: November 15, 2016

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

Journal CC024

November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0215

Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer	A Resolution accepting a loan in the amount of \$250,000.00 from Ohio Public Works Commission to finance road and sewer repairs in connection with the Turney Road Improvement Project in the Cities of Cleveland and Garfield Heights for the period 9/30/2016 - 10/1/2017; authorizing the County Executive to execute the agreement and all other documents required in connection with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended accepting a loan in the amount of \$250,000.00 from Ohio Public Works Commission to finance road and sewer repairs in connection with the Turney Road Improvement Project in the Cities of Cleveland and Garfield Heights for the period 9/30/2016 - 10/1/2017; and

WHEREAS, the purpose of this project is to obtain a loan from the Ohio Public Works Commission in order to finance the costs of road and sewer repairs in connection with the Turney Road Improvement Project located in the City of Garfield Heights and the City of Cleveland, Council Districts 7 and 8; and

WHEREAS, the project is scheduled to begin 9/30/2016 and to be completed 10/1/2017; 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 operations 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 accepts a loan in the amount of \$250,000.00 from Ohio Public Works Commission to finance road and sewer repairs in connection with the Turney Road Improvement Project in the Cities of Cleveland and Garfield Heights for the period 9/30/2016 - 10/1/2017.

SECTION 2. That the County Executive is authorized to execute the agreement and all other documents required in connection with said loan 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: November 15, 2016

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

Journal CC024
November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0217

<p>Sponsored by: County Executive Budish/Department of Development</p> <p>Co-sponsored by: Councilmember Germana</p>	<p>A Resolution authorizing an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to Fat Head's Brewing, L.P. for the benefit of a project located at Engle Road in the City of Middleburg Heights, Permanent Parcel No. 171-21-004; 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.</p>
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WHEREAS, the County Executive/Department of Development has recommended an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to Fat Head's Brewing, L.P. for the benefit of a project located at Engle Road in the City of Middleburg Heights, Permanent Parcel No. 17121004; and

WHEREAS, the primary goals of this project are to build a 125,000 square foot central brewery facility along with a tap house/restaurant in the City of Middleburg Heights, Council District 4; and

WHEREAS, this project is anticipated to retain thirty-seven (37) production jobs and create seventy-four (74) new jobs over the next three (3) years; and

WHEREAS, the total cost of this project is \$11,430,000.00, of which the County will loan \$1,500,000.00 with a term of ten (10) years at an interest rate of three percent (3%); and

WHEREAS, the proposed funding source for the loan is the Cuyahoga County Western Reserve Fund; and

WHEREAS, the project will be subject to the following, as applicable, and without limitation: the County's SBE Policy, adopted October 29, 2009; execution of a Workforce Development Agreement; submission of annual job creation/retention reporting; and payment of prevailing wages for that portion of the project funded by the County loan authorized herein; and

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

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

SECTION 1. That the Cuyahoga County Council authorizes an Economic Development Fund Accelerated Growth Loan in the amount not-to-exceed \$1,500,000.00 to Fat Head's Brewing, L.P. for the benefit of a project located at Engle Road in the City of Middleburg Heights, Permanent Parcel No. 171-21-004.

SECTION 2. That the County Executive and/or Director of Development are authorized to execute all documents consistent with said loan and this Resolution.

SECTION 3. This Resolution shall sunset twelve (12) months after County Council approval should the authorized action have not occurred by that date. In the event this Resolution sunsets prior to the authorized action taking place, the Director of Development shall notify the Clerk of Council in writing. The Clerk of Council shall record the sunseting of this Resolution in the Council's Journal.

SECTION 34. 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 45. 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: November 15, 2015
Committee(s) Assigned: Economic Development & Planning

Legislation Substituted in Committee: November 22, 2016

Additional Sponsorship Requested: November 22, 2016

Journal CC024
November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0219

<p>Sponsored by: County Executive Budish/Department of Development</p> <p>Co-sponsored by: Councilmember Conwell</p>	<p>A Resolution authorizing the issuance of not-to-exceed \$11,000,000.00 County of Cuyahoga, Ohio Economic Development Refunding Revenue Bonds, Series 2016, for the purpose of refunding the remaining outstanding principal amount of \$13,315,000.00 County of Cuyahoga, Ohio Economic Development Revenue Refunding Bonds, Series 2010 (Hathaway Brown School), which were issued to provide funds to assist Hathaway Brown School in the refinancing of costs of a “Project” within the meaning of Chapter 165, Ohio Revised Code; authorizing the execution and delivery of a loan agreement pertaining to the project and refinancing and an assignment securing the payment of the Bonds; authorizing the execution and delivery of a bond purchase agreement and authorizing the execution and delivery of certain other documents and actions in connection with the issuance of such Bonds; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County of Cuyahoga, Ohio (the “*County*”), a county and political subdivision duly organized and validly existing under the laws of the State of Ohio, is authorized and empowered, by virtue of the laws of the State of Ohio, including without limitation, Section 13 of Article VIII, Ohio Constitution, and Chapter 165 and Sections 9.98 through 9.983, as amended, Ohio Revised Code (collectively, the “*Act*”), (a) to issue its revenue bonds for the purpose of making a loan to assist in the financing or refinancing of costs of acquiring, constructing, equipping and improving a “project”, as defined in Section 165.01, as amended, Ohio Revised Code, (b) to enter into a loan agreement and to provide for “revenues” sufficient to pay the principal of and interest and any premium on those revenue bonds, (c) to secure those revenue bonds by an assignment, as provided herein, and (d) to enact this Resolution and to enter into the Assignment, the Loan Agreement and the Bond Purchase Agreement, all as defined herein, upon the terms and conditions provided herein and therein; and

WHEREAS, Hathaway Brown School (the “*Borrower*”) has requested that the County issue revenue bonds (the “*Bonds*”) pursuant to the Act, to assist it in refinancing the costs of acquiring, constructing, equipping and improving real and personal property located within the boundaries of the County (as further described in Resolution 103708 of the Commissioners of the County adopted on September 8, 2010, the “*Project*”), by refunding the outstanding principal amount of the County’s \$13,315,000.00 Adjustable Rate Economic Development Revenue Refunding Bonds, Series 2010 (Hathaway Brown School) (the “*Series 2010 Bonds*”), which were previously issued to refund the County’s \$20,000,0000 Adjustable Rate Economic Development Revenue Bonds, Series 1999 (Hathaway Brown School Project); and

WHEREAS, the Cuyahoga County Community Improvement Corporation (“*CIC*”) previously certified to the County that the Project is in accordance with the plan for the industrial, commercial, distribution and research development of the County heretofore confirmed by legislative authority of the County pursuant to Section 1724.10, Ohio Revised Code; and

WHEREAS, the Bonds shall not represent or constitute a general obligation, debt or bonded indebtedness, or a pledge of moneys raised by taxation or the faith and credit of the County, the State or any political subdivision thereof, and the holders of the Bonds shall not be given and shall not have any right to have excises or taxes levied by this Council or the County, or the State or the taxing authority of any political subdivision thereof, for the payment of bond service charges or any other costs of the Project, and the Bonds will be payable solely from revenues of the Project and other monies available to the Borrower;

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

SECTION 1. Definitions and Interpretations. All words and terms used herein as defined words and terms but not otherwise defined herein shall have the respective meanings given to them in the Loan Agreement with respect to the Bonds (the “*Loan Agreement*”) between the County and the Borrower, the substantially final form of which is on file with this Council.

Any reference herein to the County or this Council or to any officers, employees or members thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

SECTION 2. Determinations. This Council confirms the County’s previous determinations, based on the representations of the Borrower including those contained in its application to the CIC, that:

- (a) The Project constitutes a “project” within the meaning of that term as defined in Section 165.01(H), Ohio Revised Code;

(b) The Project is consistent with the purposes of Section 13 of Article VIII, Ohio Constitution, to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the State of Ohio; and

(c) Provision of the loan to refinance costs of the Project through a refunding of the Series 2010 Bonds will require the issuance, sale and delivery of the Bonds.

SECTION 3. Authorization of Bonds. It is hereby determined, based upon the representations of the Borrower, to be necessary to, and the County shall, issue, sell and deliver, as provided herein and in the Bonds and the Assignment and pursuant to the authority of the Act, the Bonds in the principal amount that shall be determined in the Bond Purchase Agreement not to exceed \$11,000,000, for the purpose of making a loan to assist the Borrower in refinancing the costs of acquiring, constructing, equipping and improving the Project and refunding the Series 2010 Bonds, including paying a portion of the costs of the issuance of the Bonds, all in accordance with the provisions of the (i) Bonds; (ii) the Loan Agreement; and (iii) the Assignment of Loan Agreement and Revenues (the “*Assignment*”) from the County to Key Government Finance, Inc. (the “*Purchaser*”) dated as of even date with the Loan Agreement.

SECTION 4. Terms and Provisions of the Bonds

(a) Bond Terms. The Bonds shall (i) be issued and secured under the terms of the and in the aggregate principal amount, not to exceed \$11,000,000, set forth in this Bond Legislation, the Bond Purchase Agreement, the Bonds, the Loan Agreement and the Assignment, (ii) be issued in the forms and shall be numbered and payable as provided in the Bonds and the Assignment, (iii) be designated “County of Cuyahoga, Ohio Economic Development Revenue Refunding Bonds, Series 2016 (Hathaway Brown School)””; (iv) be issuable only in fully registered form; (v) be exchangeable as set forth therein in authorized denominations; (vi) be numbered in a manner that will distinguish each Bond from each other Bond of that series and each other series; (vii) be dated the date the Bonds are issued; (viii) bear interest from the most recent date to which interest has been paid or duly provided for, or if no interest has been paid or duly provided for, from their date or their date of delivery as set forth in the Bonds, at the rates to be set forth in the Bonds and in the Bond Purchase Agreement among the County, the Borrower and the Purchaser (the “*Bond Purchase Agreement*”), as applicable, and be payable on the Interest Payment Dates set forth in the Bonds; (ix) be subject to redemption, in accordance with the Bonds; and (x) mature, subject to prior redemption as set forth above, on the dates set forth in the Bonds, the final maturity date of which shall not exceed December 1, 2035.

(b) Method of Payment; Paying Agents. The principal of and any premium and interest on the Bonds (the “*Bond Service Charges*”) shall be

payable as provided in the Bonds, the Assignment and the Loan Agreement without deduction for the services of any paying agent.

(c) Execution. The Bonds shall be signed by the County Executive and such signature may be a facsimile. Neither the County Executive, the members of this Council nor any person executing the Bonds shall be liable personally on the by reason of issuance thereof. In case the County Executive shall cease to be in office before the issuance or delivery of the Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if he or she had remained in office until after that time.

SECTION 5. Sale of the Bonds. The Bonds are hereby sold and awarded to Key Government Finance, Inc. or its designee, as Purchaser, in accordance with the terms of this Resolution, at a purchase price equal to the aggregate principal amount of the Bonds to be issued. The sale of the Bonds to the Purchaser shall be conditioned upon the Purchaser's delivery of an investor acknowledgement letter to the County, or the inclusion of investor acknowledgement provisions in the Bond Purchase Agreement, in substantially the form attached thereto and on file with this Council. It is hereby determined that the purchase price and the manner of sale and the terms of the Bonds, as provided in this Resolution, the Assignment, the Loan Agreement, the Bonds and the Bond Purchase Agreement, are consistent with all legal requirements and will carry out the public purposes of the Act.

The County Executive, the Clerk of this Council and the Fiscal Officer are authorized and directed, alone or together, to make the necessary arrangements to establish the date, location, procedures and conditions for the delivery of the Bonds, and to take all steps necessary to effect due execution, authentication and delivery of the Bonds to the Purchaser under the terms of this Resolution, the Loan Agreement, the Assignment and the Bond Purchase Agreement.

SECTION 6. Loan and Terms Thereof. This Council authorizes and approves the loan of the Bond proceeds by the County to the Borrower pursuant to the terms of the Bonds, the Assignment, the Loan Agreement and the Bond Purchase Agreement, each substantially in the form now on file with the Clerk of this Council, to assist in financing the Project.

SECTION 7. Security for the Bonds. The Bonds shall be special, limited obligations of the County and the principal of and any premium and the interest on the Bonds shall be (i) payable solely from the revenues pledged therefor in the Assignment and (ii) secured as provided by the Assignment and the Loan Agreement.

Anything in this Resolution or the Bonds to the contrary notwithstanding, the Bonds do not and shall not represent or constitute a general obligation, debt or bonded indebtedness, or a pledge of moneys raised by taxation or the faith and credit of the County, the State or any political subdivision thereof, and the holders

of the Bonds shall not be given and shall not have any right to have excises or taxes levied by this Council or the County, or the State or the taxing authority of any political subdivision thereof, for the payment of bond service charges or any other costs of the Project, and the Bonds will be payable solely from revenues of the Project and other monies available to the Borrower. The Bonds shall contain a statement to that effect and to the effect that the Bonds are payable solely from the sources specified in the Bonds, the Assignment and the Loan Agreement and from any other moneys paid by the Borrower or obtained by the Purchaser or successor bondholder upon the exercise of rights and remedies under the Loan Agreement.

SECTION 8. Covenants, Agreement and Approval of County. In addition to the other covenants of the County set forth in this Resolution, the Bonds, the Bond Purchase Agreement, the Assignment and the Loan Agreement (collectively, the “*Issuer Documents*”), the County further covenants and agrees as follows:

(a) Authority and Actions. The County is, and upon delivery of the Bonds will be, duly authorized by the laws of the State, particularly and without limitation the Act, to issue the Bonds, to execute and deliver the Issuer Documents and other instruments and documents to which it is a party, to provide the security for payment of the principal of and any premium or interest on the Bonds solely in the manner and from the sources and to the extent set forth herein, all as authorized by this Council. All actions on the part of the County for the issuance of the Bonds and the execution and delivery of the Issuer Documents and such other instruments and documents have been or will be duly and effectively taken. The Bonds shall be valid and enforceable special obligations of the County according to the terms thereof. Each duty of the County and of its officers and employees undertaken pursuant to the Bonds and the Issuer Documents, is a duty specifically enjoined by law upon the County and each of those officers and employees having authority thereunder or by provision of law to perform the duty, resulting from an office, trust or station, within the meaning of Section 2731.01, Ohio Revised Code, providing for enforcement by writ of mandamus.

(b) Arbitrage and Tax Compliance Provisions; Transcript. To the extent within its authority and control, the County will restrict the use of the proceeds of the Bonds in such manner and to such extent as is necessary so that the Bonds will not constitute arbitrage bonds under Section 148 of the Code. The members of this Council, the County Executive, the Fiscal Officer or the Clerk of this Council or any other officer of the County having responsibility for the issuance of the Bonds, alone or in conjunction with the Borrower or any officer, employee or agent of or consultant to the Borrower, shall give an appropriate certificate of the County for inclusion in the transcript of proceedings for the Bonds setting forth the reasonable expectations of the County regarding the amount and use of all of the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on the Bonds.

To the extent within its authority and control, the County (i) will take, or require to be taken, all actions that are required of it for the interest on the Bonds to be and remain excluded from gross income for federal income tax purposes, and (ii) will not knowingly take or authorize to be taken any actions that would adversely affect that exclusion under the provisions of the Code. The members of this Council, the County Executive, the Fiscal Officer and the Clerk of this Council and any other appropriate officers are hereby authorized and directed to take any and all actions and make or give such reports and certifications, as may be appropriate to assure such exclusions of that interest.

In its performance of these covenants, and other covenants of the County pertaining to federal income tax laws, the County may rely upon the advice of nationally recognized bond counsel that is provided to the County at the Borrower's expense.

The Clerk of this Council shall furnish to the Purchaser a true transcript of proceedings, certified by the Clerk, of all proceedings had with reference to the issuance of the Bonds together with such information from the records as is necessary to determine the regularity and validity of the issuance of the Bonds.

(c) Further Assurances. To the extent within its authority and control, the County shall do all things and take all actions on its part necessary to comply with the obligations, duties and responsibilities on its part under the Issuer Documents. Nothing herein or in the Issuer Documents shall be construed as requiring the County to operate the Project or to use any moneys from any source other than those provided in the Assignment and the Loan Agreement.

(d) Tax Approval. A public hearing has been held with respect to the Project and the Bonds, a report of which has been submitted to this Council. Reasonable notice of that hearing was published in the *Plain Dealer*. This Council, and the County Executive by his signature herein, hereby approves the Bonds as the "applicable elected representative" pursuant to Section 147(f) of the Code.

SECTION 9. Issuer Documents. To provide for the issuance and sale of the Bonds and the consummation of the transactions contemplated herein, the County Executive and the Fiscal Officer at the direction of the County Executive, alone or in conjunction with any of the foregoing, are authorized and directed to execute, acknowledge and deliver, for and in the name and on behalf of the County, each Issuer Document, in substantially the respective forms thereof submitted to and approved by this Council and the County's legal officer. The Issuer Documents are approved with any changes therein which are not inconsistent with this Resolution, are not adverse to the County, are permitted by the Act, and are approved by the member or members or officer or officers executing the respective Issuer Documents and by the County's legal officer. The approval of those changes by such member or members or officer or officers, and the character of those changes as not being adverse to the County, shall be

evidenced conclusively by the execution and delivery of the respective Issuer Documents by such member or members or officer or officers. The Fiscal Officer is authorized to give any certifications that may be required under Ohio Revised Code Sections 5705.41 and 5705.44 with respect to any of the Issuer Documents.

SECTION 10. Other Documents. The County Executive, the President of the Council, the Fiscal Officer, the Clerk of the Council or any other officer of the County, alone or in conjunction with any of the foregoing, are authorized and directed to execute, deliver and, if applicable, file, for and in the name and on behalf of the County, any certifications, financing statements, assignments and other instruments and documents which are, in the opinion of the County's legal officer and the Assignment, necessary or appropriate to perfect the assignments contemplated in the Assignment or the Loan Agreement and to consummate the transactions contemplated in the Issuer Documents, including the issuance of the Bonds. Those certifications and other instruments and documents include, without limitation, one or more reports on IRS Form 8038 (including Forms 8038-R and 8038-T), any other agreement, certifications and forms necessary or advisable under the Code and a certification by the Clerk of this Council of the transcript of proceedings relating to the issuance of the Bonds. The Borrower is hereby authorized and directed, upon the request or direction of the County, to file any such certifications or instruments that require filing.

SECTION 11. Acknowledgement of Assignment. The County acknowledges that pursuant to the Assignment, the County will assign without recourse its rights under Loan Agreement to the Purchaser, except for Unassigned Issuer's Rights.

SECTION 12. No Personal Liability. No recourse under or upon any obligation, covenant, acceptance or agreement contained in this Resolution, or in the Bonds, or in the Issuer Documents, or under any judgment obtained against the County or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer or employee as such, past, present, or future, of the County, including any member of the Council, either directly or through the County, or otherwise, for the payment for or to the County or any receiver thereof, or for or to the Holder, or otherwise, of any sum that may be due and unpaid by the County upon any of the Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer or employee, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the County or any receiver thereof, or for or to the Borrower or the Holder, or otherwise, of any sum that may remain due and unpaid upon any Bond, shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Issuer Documents and the issuance of the Bonds.

SECTION 13. Open Meeting This Council hereby finds and determines that all formal actions of this Council and its committees concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 14. Effective Date. This Resolution shall be in full force and effect immediately upon the signature of the County Executive, provided this Resolution receives the affirmative vote of eight members elected to Council. It is hereby determined to be necessary that this Resolution become immediately effective in order that financing may proceed in a timely manner.

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

Yeas:

Nays:

_____	_____
County Council President	Date
_____	_____
County Executive	Date
_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: November 15, 2016
 Committee(s) Assigned: Economic Development & Planning

Additional Sponsorship Requested: November 22, 2016

Journal CC024
 November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0220

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p> <p>Co-sponsored by: Councilmembers Hairston and Miller</p>	<p>A Resolution authorizing an agreement with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$1,554,391.00 for fiscal and administrative services for the Help Me Grow Bright Beginnings Program for the period 10/1/2016 - 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 Educational Service Center of Cuyahoga County in the amount not-to-exceed \$1,554,391.00 for fiscal and administrative services for the Help Me Grow Bright Beginnings Program for the period 10/1/2016 - 12/31/2017; and

WHEREAS, the primary goal of this project is the implement and maintain a coordinated, community based infrastructure that promotes family centered services for expectant parents, newborns, infants, toddlers and their families; and

WHEREAS, this project is funded 100% from the Health and Human Service levy fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an agreement with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$1,554,391.00 for fiscal and administrative services for the Help Me Grow Bright Beginnings Program for the period 10/1/2016 - 12/31/2017.

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

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

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

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

Yeas:

Nays:

_____ County Council President	_____ Date
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_____ County Executive	_____ Date
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_____ Clerk of Council	_____ Date
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First Reading/Referred to Committee: November 15, 2016
Committee(s) Assigned: Education, Environment & Sustainability

Additional Sponsorship Requested on the Floor: November 15, 2016

Journal CC024
November 29, 2016

County Council of Cuyahoga County, Ohio

Resolution No. R2016-0221

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services</p>	<p>A Resolution authorizing an amendment to Contract No. CE1500310-01 with Maximus Human Services, Inc. for the Work Experience Program for work-required public assistance recipients for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,302,648.96; 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/Cuyahoga Job and Family Services has recommended an amendment to Contract No. CE1500310-01 with Maximus Human Services, Inc. for the Work Experience Program for work-required public assistance recipients for the period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,302,648.96; and

WHEREAS, the primary goal of this project is to provide a work experience program that will offer participants a high quality, competency-based, results-oriented work experience program that will enhance participants' employability and competitiveness in the job market; and

WHEREAS, the project is funded 66% by Federal TANF Funds and 34% by Federal FAET Funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1500310-01 with Maximus Human Services, Inc. for the Work Experience Program for work-required public assistance recipients for the

period 1/1/2016 - 12/31/2016 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,302,648.96.

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

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

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

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

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: November 15, 2016
Committee(s) Assigned: Health, Human Services & Aging

Journal CC024
November 29, 2016

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,

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 24, 2016

Committee Assigned: Finance & Budgeting

Committee Report/Second Reading: November 15, 2016

Journal CC024

November 29, 2016