



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, MARCH 14, 2017
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) February 28, 2017 Committee of the Whole Meeting (See page 13)
 - b) February 28, 2017 Regular Meeting (See page 15)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**
 - a) **CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**
 - 1) R2017-0044: A Resolution appointing F. Allen Boseman to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2017 - 3/7/2023, and declaring the necessity that this Resolution become immediately effective. (See page 31)

Sponsor: Councilmember Brown

- 2) R2017-0045: A Resolution adopting the amended Cuyahoga County Personnel Review Commission Administrative Rules as the administrative rules for the Cuyahoga County Personnel Review Commission to be codified in the Cuyahoga County Administrative Code, and declaring the necessity that this Resolution become immediately effective. (See page 37)

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

- 3) R2017-0046: A Resolution making an award to College Now Greater Cleveland in the amount of \$500,000.00 from the Cuyahoga County Educational Assistance Fund for Component Two of the Cuyahoga County Educational Assistance Program for the period ending 6/30/2021; 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 90)

Sponsor: Councilmember Simon

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

- 1) R2017-0047: A Resolution amending the 2016/2017 Biennial Operating Budget for 2017 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 93)

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

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

- 1) R2017-0048: A Resolution authorizing a revenue generating agreement with T & G Flying Club, Inc. in the amount not-to-exceed \$75,984.00 for lease of office space and aircraft tie-down fees located at the Cuyahoga County Airport Safety Building, Area B Suites G-L, 26300 Curtiss Wright Parkway, Highland Heights, for the period 1/1/2017 - 12/31/2019; 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 107)

Sponsor: County Executive Budish/Department of Public Works

- 2) R2017-0049: 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 - 12/31/2017 to change the scope of services and the terms, effective 3/28/2017, and to establish a guaranteed maximum price in the amount not-to-exceed \$25,211,693.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See page 110)

Sponsor: County Executive Budish/Department of Public Works

- 3) R2017-0050: A Resolution making an award on RQ36488 to Viverae, Inc. in the amount not-to-exceed \$606,950.00 for the Wellness Program for County employees for the period 4/1/2017 - 3/31/2020; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See page 115)

Sponsor: County Executive Budish/Department of Human Resources

- 4) R2017-0051: A Resolution authorizing the County Executive, on behalf of the County, to endorse the Memorandum of Understanding among County of Cuyahoga, Cuyahoga County Board of Elections and Ohio Department of Administrative Services in connection with the use of funding for the purchase of electronic pollbooks and other necessary

equipment; and declaring the necessity that this Resolution become immediately effective. (See page 123)

Sponsors: County Executive Budish on behalf of Cuyahoga County Board of Elections

- 5) R2017-0052: A Resolution authorizing Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$11,696,886.76, for child support services for the period 1/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See page 127)
- i) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$4,057,624.95.
 - ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$3,770,477.25.
 - iii) Cuyahoga County Prosecuting Attorney's Office in the amount not-to-exceed \$3,868,784.56.

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

- 6) R2017-0053: A Resolution authorizing Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$103,746.55, for child support services for the period 1/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See page 133)
- i) Cuyahoga County Treasurer's Office in the amount not-to-exceed \$75,796.59.
 - ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court/Cashiers Department in the amount not-to-exceed \$27,949.96.

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

- 7) R2017-0054: A Resolution authorizing an amendment to Contract No. CE1600248-01 with Starting Point for the Out-of-School Time Program for the period 10/1/2016 - 1/31/2017 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,400,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See page 138)

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

- 8) R2017-0055: A Resolution authorizing the County Executive to obtain and/or pledge one or more letters of credit from a bank or banks related to and in support of The MetroHealth System's Campus Transformation Project; approving and authorizing the execution of one or more indentures or other documents; authorizing other contracts and other actions related to and necessary for the matter described herein; and declaring the necessity that this Resolution become immediately effective. (See page 141)

Sponsors: County Executive Budish and Council President Brady

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2017-0030: A Resolution authorizing the issuance and sale of one or more series of County revenue bonds, in an aggregate principal amount that will generate net proceeds of \$140,000,000.00, for the purpose of paying or reimbursing the costs of reconstructing, refurbishing, renovating, upgrading, improving and equipping Quicken Loans Arena, together with appurtenances and work incidental thereto, and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith; authorizing the preparation and use of one or more preliminary official statements and the preparation, execution and use of one or more official statements; approving and authorizing the execution of one or more trust indentures or supplemental trust indentures and one or more continuing disclosure agreements; authorizing other contracts and other

actions related to and necessary for the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective. [Pending Committee Recommendation] (See page 145)

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

Committee Assignment and Chair: Committee of the Whole – Brady

- 2) R2017-0039: A Resolution making awards to various municipalities, each in the amount not-to-exceed \$150,000.00, for various municipal grant projects for the 2017 Community Development Block Grant Municipal Grant Program for the period 4/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective: (See page 164)

- i) City of Maple Heights for park improvement.
- ii) City of Berea for road resurfacing.
- iii) City of Broadview Heights for road reconstruction.
- iv) City of Mayfield Heights for safety/ADA.
- v) City of North Olmsted for sidewalk repair.
- vi) City of South Euclid for road reconstruction.
- vii) City of Parma Heights for road resurfacing.
- viii) City of Brooklyn for road and sewer repair.
- ix) City of Fairview Park for sidewalk repair.
- x) City of Middleburg Heights for road resurfacing.

Sponsor: County Executive Budish/Department of Development

Committee Assignment and Chair: Community Development – Hairston

- 3) R2017-0040: A Resolution making awards to various municipalities and non-profit organizations, in the total amount of \$998,966.00, for various projects in connection with the 2017 Community Development Supplemental Grant Program for the period 4/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and contracts and all other documents consistent with said awards

and this Resolution; and declaring the necessity that this Resolution become immediately effective: (See page 167)

- i) Lakewood Alive Development Corporation in the amount not-to-exceed \$50,000.00 for a Streetscaping Project.
- ii) St. Clair-Superior Development Corporation in the amount not-to-exceed \$50,000.00 for the Bus Stop Safety Program.
- iii) Tremont West Development Corporation in the amount not-to-exceed \$50,000.00 for the Lincoln Park Gazebo Project.
- iv) Village of Glenwillow in the amount not-to-exceed \$50,000.00 for the Park Construction Project.
- v) Village of Mayfield in the amount not-to-exceed \$50,000.00 for the Band Shell Construction Project.
- vi) City of Parma Heights in the amount not-to-exceed \$50,000.00 for the Cultural Center Rehabilitation Project.
- vii) City of Rocky River in the amount not-to-exceed \$49,950.00 for the Safety Project.
- viii) Fairfax Renaissance Development Corporation in the amount not-to-exceed \$50,000.00 for the Vacant Lot Repurpose Project.
- ix) Village of Chagrin Falls in the amount not-to-exceed \$40,000.00 for the Safety Project.
- x) City of Bay Village in the amount not-to-exceed \$50,000.00 for the Generator Project.
- xi) City of Euclid in the amount not-to-exceed \$50,000.00 for the Tree/Flower Planting Project.
- xii) City of Fairview Park in the amount not-to-exceed \$50,000.00 for the pavilion Construction Project.
- xiii) One South Euclid in the amount not-to-exceed \$20,000.00 for the homeowner Exterior Maintenance Program.
- xiv) Bellair-Puritas Development Corporation in the amount not-to-exceed \$50,000.00 for the Lighting and Landscaping Project.
- xv) City of Middleburg Heights in the amount not-to-exceed \$50,000.00 for the Road Resurfacing Project.
- xvi) City of Brooklyn Heights in the amount not-to-exceed \$39,798.00 for the purchase of a van.
- xvii) City of Maple Heights in the amount not-to-exceed \$50,000.00 for the Park Improvements Project.

- xviii) City of Broadview Heights in the amount not-to-exceed \$50,000.00 for the Median Redevelopment Project.
- xix) Village of Cuyahoga Heights in the amount not-to-exceed \$50,000.00 for the Acquisition and Demolition Project.
- xx) Kamms Corner Development Corporation in the amount not-to-exceed \$44,768.00 for the Parking Lot Repair Project.
- xxi) City of Richmond Heights in the amount not-to-exceed \$50,000.00 for the ADA Accessibility Project.
- xxii) Campus District, Inc. in the amount not-to-exceed \$4,450.00 for the purchase of a camera.

Sponsors: County Executive Budish/Department of Development and Councilmembers Miller and Conwell

Committee Assignment and Chair: Community Development – Hairston

- 4) R2017-0042: A Resolution authorizing amendments to agreements and contracts with various providers for neighborhood collaborative services for the Family to Family Neighborhood System of Care Program for the period 4/1/2014 - 3/31/2017 to extend the time period to 3/31/2018 and for additional funds; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See page 172)

- i) Agreements:
 - a) No. AG1400049-01 with City of Lakewood in the amount not-to-exceed \$320,464.00.
 - b) No. AG1400050-01 with Parma City School District in the amount not-to-exceed \$320,464.00.
 - c) No. AG1400051-01 with Cuyahoga Metropolitan Housing Authority in the amount not-to-exceed \$320,464.00.

ii) Contracts:

- a) No. CE1400076-01 with Catholic Charities Corporation – Fatima Family Center in the amount not-to-exceed \$320,464.00.
- b) No. CE1400077-01 with Catholic Charities Corporation – St. Martin De Porres Family Center in the amount not-to-exceed \$320,464.00.
- c) No. CE1400078-01 with The Harvard Community Services Center in the amount not-to-exceed \$320,464.00.
- d) No. CE1400079-01 with Murtis Taylor Human Services System – East Cleveland in the amount not-to-exceed \$480,696.00.
- e) No. CE1400080-01 with Murtis Taylor Human Services System – Mt. Pleasant in the amount not-to-exceed \$480,696.00.
- f) No. CE1400081-01 with The Centers for Families and Children in the amount not-to-exceed \$320,464.00.
- g) No. CE1400082-01 with University Settlement, Incorporated in the amount not-to-exceed \$320,464.00.
- h) No. CE1400083-01 with West Side Community House in the amount not-to-exceed \$320,464.00.
- i) No. CE1400084-01 with YMCA of Greater Cleveland in the amount not-to-exceed \$320,464.00.
- j) No. CE1400085-01 with East End Neighborhood House Association in the amount not-to-exceed \$320,464.00.

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services and Councilmembers Conwell, Miller, Tuma, Brown and Baker

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

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

- 1) R2017-0036: A Resolution confirming the County Executive's reappointment of Carol Dayton to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2017 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective. (See page 176)

Sponsor: County Executive Budish

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

- 2) R2017-0037: A Resolution authorizing an amendment to Contract No. CE0600382-01 with K & Z Mutual Realty, LLC, as successor in interest to Mutual Investment Properties, LLC, for lease of office space located at 9830 Lorain Avenue, Cleveland, for the period 10/1/2006 - 9/30/2016 to extend the time period to 9/30/2021 and for additional funds in the amount not-to-exceed \$2,402,495.00; 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 178)

Sponsor: County Executive Budish/Departments of Public Works and Health and Human Services/Cuyahoga Job and Family Services

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

- 3) R2017-0038: A Resolution authorizing an agreement with Ohio Department of Administrative Services in the amount not-to-exceed \$1,750,000.00 for Data Center Co-location Services for the period 1/1/2017 - 12/31/2021; 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 181)

Sponsor: County Executive Budish/Department of Information Technology

Committee Assignment and Chair: Finance & Budgeting –
Miller

- 4) R2017-0041: A Resolution authorizing various revenue generating agreements with Council for Economic Opportunities in Greater Cleveland for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Head Start and pre-school programs for the period 2/1/2017 - 1/31/2020; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See page 183)
- i) Green Road Services Center, located at 4329 Green Road, Highland Hills, in the amount not-to-exceed \$453,120.00.
 - ii) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland, in the amount not-to-exceed \$412,458.93.

Sponsors: County Executive Budish on behalf of Cuyahoga County Board of Developmental Disabilities

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

- 5) R2017-0043: A Resolution making an award on RQ38042 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship 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 186)

Sponsor: County Executive Budish/Department of Health and Human Services/Division of Senior and Adult Services

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

e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2017-0023: A Resolution confirming the County Executive's appointment of The Honorable Anthony J. DiCicco to serve on the Cuyahoga County Planning Commission representing the Hillcrest Region for the term 1/1/2017 - 12/31/2019, and

declaring the necessity that this Resolution become immediately effective. (See page 189)

Sponsor: County Executive Budish

- 2) R2017-0025: A Resolution confirming the County Executive's reappointment of various individuals to serve on the Cuyahoga Community College Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective: (See page 191)

- i) J. David Heller for the term 3/27/2017 - 3/26/2022.
- ii) Victor A. Ruiz for the term 1/18/2017 - 1/17/2022.

Sponsors: County Executive Budish and Councilmember Brown

11. MISCELLANEOUS COMMITTEE REPORTS

12. MISCELLANEOUS BUSINESS

13. PUBLIC COMMENT UNRELATED TO AGENDA

14. ADJOURNMENT

NEXT MEETINGS

COMMITTEE OF THE WHOLE:

TUESDAY, MARCH 28, 2017
TBD / COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, MARCH 28, 2017
5:00 PM / COUNCIL CHAMBERS

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

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



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, FEBRUARY 28, 2017
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
2:00 PM

1. RECONVENING THE FEBRUARY 21, 2017 COMMITTEE OF THE WHOLE MEETING

Council President Brady reconvened the February 21, 2017 Committee of the Whole meeting at 2:00 p.m.

2. ROLL CALL

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

3. CONTINUED DISCUSSION ON ITEM REFERRED TO COMMITTEE:

- a) R2017-0030: A Resolution authorizing the issuance and sale of one or more series of County revenue bonds, in an aggregate principal amount that will generate net proceeds of \$140,000,000.00, for the purpose of paying or reimbursing the costs of reconstructing, refurbishing, renovating, upgrading, improving and equipping Quicken Loans Arena, together with appurtenances and work incidental thereto, and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith; authorizing the preparation and use of one or more preliminary official statements and the preparation, execution and use of one or more official statements; approving and authorizing the execution of one or more trust indentures or supplemental trust indentures and one or more continuing disclosure agreements; authorizing other contracts and other actions related to and necessary for the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective.

Council President Brady read a written statement which advised members of the public of Council's meeting procedures and the rules pertaining to public comment and decorum.

Mr. Timothy Offtermatt, Managing Director for Stifel Financial Corporation, and Mr. Len Komoroski, Chief Executive Officer of the Cleveland Cavaliers and Quicken Loans Arena, addressed Council regarding Resolution No. R2017-0030. Discussion ensued.

Councilmembers asked questions of Messrs. Offtermatt and Komoroski pertaining to the item, which they answered accordingly.

Mr. Robert Triozzi, Director of Law, addressed Council regarding the County's Community Benefits policies. Discussion ensued.

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

No further legislative action was taken on Resolution No. R2017-0030.

4. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

5. PUBLIC COMMENT UNRELATED TO AGENDA

There were no public comments given unrelated to the agenda.

6. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 4:53 p.m., without objection.



MINUTES

CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 28, 2017
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 5:05 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

There was no moment of silent meditation.

5. PUBLIC COMMENT RELATED TO AGENDA

There were no public comments given related to the agenda.

6. APPROVAL OF MINUTES

- a) February 14, 2017 Committee of the Whole Meeting
- b) February 14, 2017 Regular Meeting
- c) February 21, 2017 Committee of the Whole Meeting

A motion was made by Mr. Brady, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the February 14, 2017 Committee of the

Whole and Regular meetings and the February 21, 2017 Committee of the Whole meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Brady announced that he was pleased with the discussions regarding the Quicken Loans Arena Transformation Project that took place during the Committee of the Whole meeting.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish echoed the comments of Council President Brady regarding the Q Transformation discussion and reported that he recently met with the state delegation regarding the state budget.

9. LEGISLATION INTRODUCED BY COUNCIL

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

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2017-0020.

- a) R2017-0020: A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Ms. Brown with a second by Ms. Conwell, Resolution No. R2017-0020 was considered and adopted by unanimous vote.

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 with a second by Ms. Brown to suspend Rules 9D and 12A and to place on final passage Resolution No. R2017-0035.

- a) R2017-0035: A Resolution amending the 2016/2017 Biennial Operating Budget for 2017 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies; amending Resolution Nos. R2017-0008 dated 1/24/2017 and R2017-0021 dated 2/14/2017 to reconcile appropriations for 2017; 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. Miller with a second by Ms. Brown, Resolution No. R2017-0035 was considered and adopted by unanimous vote.

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

- a) R2017-0036: A Resolution confirming the County Executive's reappointment of Carol Dayton to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2017 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2017-0036 to the Human Resources, Appointments & Equity Committee.

- b) R2017-0037: A Resolution authorizing an amendment to Contract No. CE0600382-01 with K & Z Mutual Realty, LLC, as successor in interest to Mutual Investment Properties, LLC, for lease of office space located at 9830 Lorain Avenue, Cleveland, for the period 10/1/2006 - 9/30/2016 to extend the time period to 9/30/2021 and for additional funds in the amount not-to-exceed \$2,402,495.00; 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/Departments of Public Works and Health and Human Services/Cuyahoga Job and Family Services

Council President Brady referred Resolution No. R2017-0037 to the Public Works, Procurement & Contracting Committee.

- c) R2017-0038: A Resolution authorizing an agreement with Ohio Department of Administrative Services in the amount not-to-exceed \$1,750,000.00 for Data Center Co-location Services for the period 1/1/2017 - 12/31/2021; 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 Information Technology

Council President Brady referred Resolution No. R2017-0038 to the Finance & Budgeting Committee.

- d) R2017-0039: A Resolution making awards to various municipalities, each in the amount not-to-exceed \$150,000.00, for various municipal grant projects for the 2017 Community Development Block Grant Municipal Grant Program for the period 4/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) City of Maple Heights for park improvement.
- ii) City of Berea for road resurfacing.
- iii) City of Broadview Heights for road reconstruction.
- iv) City of Mayfield Heights for safety/ADA.
- v) City of North Olmsted for sidewalk repair.
- vi) City of South Euclid for road reconstruction.
- vii) City of Parma Heights for road resurfacing.
- viii) City of Brooklyn for road and sewer repair.
- ix) City of Fairview Park for sidewalk repair.
- x) City of Middleburg Heights for road resurfacing.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2017-0039 to the Community Development Committee.

- e) R2017-0040: A Resolution making awards to various municipalities and non-profit organizations, in the total amount of \$998,966.00, for various projects in connection with the 2017 Community Development Supplemental Grant Program for the period 4/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- i) Lakewood Alive Development Corporation in the amount not-to-exceed \$50,000.00 for a Streetscaping Project.
 - ii) St. Clair-Superior Development Corporation in the amount not-to-exceed \$50,000.00 for the Bus Stop Safety Program.
 - iii) Tremont West Development Corporation in the amount not-to-exceed \$50,000.00 for the Lincoln Park Gazebo Project.
 - iv) Village of Glenwillow in the amount not-to-exceed \$50,000.00 for the Park Construction Project.
 - v) Village of Mayfield in the amount not-to-exceed \$50,000.00 for the Band Shell Construction Project.
 - vi) City of Parma Heights in the amount not-to-exceed \$50,000.00 for the Cultural Center Rehabilitation Project.
 - vii) City of Rocky River in the amount not-to-exceed \$49,950.00 for the Safety Project.
 - viii) Fairfax Renaissance Development Corporation in the amount not-to-exceed \$50,000.00 for the Vacant Lot Repurpose Project.
 - ix) Village of Chagrin Falls in the amount not-to-exceed \$40,000.00 for the Safety Project.
 - x) City of Bay Village in the amount not-to-exceed \$50,000.00 for the Generator Project.
 - xi) City of Euclid in the amount not-to-exceed \$50,000.00 for the Tree/Flower Planting Project.
 - xii) City of Fairview Park in the amount not-to-exceed \$50,000.00 for the pavilion Construction Project.
 - xiii) One South Euclid in the amount not-to-exceed \$20,000.00 for the homeowner Exterior Maintenance Program.

- xiv) Bellair-Puritas Development Corporation in the amount not-to-exceed \$50,000.00 for the Lighting and Landscaping Project.
- xv) City of Middleburg Heights in the amount not-to-exceed \$50,000.00 for the Road Resurfacing Project.
- xvi) City of Brooklyn Heights in the amount not-to-exceed \$39,798.00 for the purchase of a van.
- xvii) City of Maple Heights in the amount not-to-exceed \$50,000.00 for the Park Improvements Project.
- xviii) City of Broadview Heights in the amount not-to-exceed \$50,000.00 for the Median Redevelopment Project.
- xix) Village of Cuyahoga Heights in the amount not-to-exceed \$50,000.00 for the Acquisition and Demolition Project.
- xx) Kamms Corner Development Corporation in the amount not-to-exceed \$44,768.00 for the Parking Lot Repair Project.
- xxi) City of Richmond Heights in the amount not-to-exceed \$50,000.00 for the ADA Accessibility Project.
- xxii) Campus District, Inc. in the amount not-to-exceed \$4,450.00 for the purchase of a camera.

Sponsor: County Executive Budish/Department of Development

Council President Brady referred Resolution No. R2017-0040 to the Community Development Committee.

- f) R2017-0041: A Resolution authorizing various revenue generating agreements with Council for Economic Opportunities in Greater Cleveland for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Head Start and pre-school programs for the period 2/1/2017 - 1/31/2020; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) Green Road Services Center, located at 4329 Green Road, Highland Hills, in the amount not-to-exceed \$453,120.00.

- ii) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland, in the amount not-to-exceed \$412,458.93.

Sponsors: County Executive Budish on behalf of Cuyahoga County Board of Developmental Disabilities

Council President Brady referred Resolution No. R2017-0041 to the Education, Environment & Sustainability Committee.

- g) R2017-0042: A Resolution authorizing amendments to agreements and contracts with various providers for neighborhood collaborative services for the Family to Family Neighborhood System of Care Program for the period 4/1/2014 - 3/31/2017 to extend the time period to 3/31/2018 and for additional funds; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) Agreements:

- a) No. AG1400049-01 with City of Lakewood in the amount not-to-exceed \$320,464.00.
- b) No. AG1400050-01 with Parma City School District in the amount not-to-exceed \$320,464.00.
- c) No. AG1400051-01 with Cuyahoga Metropolitan Housing Authority in the amount not-to-exceed \$320,464.00.

- ii) Contracts:

- a) No. CE1400076-01 with Catholic Charities Corporation – Fatima Family Center in the amount not-to-exceed \$320,464.00.
- b) No. CE1400077-01 with Catholic Charities Corporation – St. Martin De Porres Family Center in the amount not-to-exceed \$320,464.00.
- c) No. CE1400078-01 with The Harvard Community Services Center in the amount not-to-exceed \$320,464.00.

- d) No. CE1400079-01 with Murtis Taylor Human Services System – East Cleveland in the amount not-to-exceed \$480,696.00.
- e) No. CE1400080-01 with Murtis Taylor Human Services System – Mt. Pleasant in the amount not-to-exceed \$480,696.00.
- f) No. CE1400081-01 with The Centers for Families and Children in the amount not-to-exceed \$320,464.00.
- g) No. CE1400082-01 with University Settlement, Incorporated in the amount not-to-exceed \$320,464.00.
- h) No. CE1400083-01 with West Side Community House in the amount not-to-exceed \$320,464.00.
- i) No. CE1400084-01 with YMCA of Greater Cleveland in the amount not-to-exceed \$320,464.00.
- j) No. CE1400085-01 with East End Neighborhood House Association in the amount not-to-exceed \$320,464.00.

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

Council President Brady referred Resolution No. R2017-0042 to the Health, Human Services & Aging Committee.

- h) R2017-0043: A Resolution making an award on RQ38042 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship 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 Health and Human Services/Division of Senior and Adult Services

Council President Brady referred Resolution No. R2017-0043 to the Health, Human Services & Aging Committee.

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- a) R2017-0023: A Resolution confirming the County Executive's appointment of The Honorable Anthony J. DiCicco to serve on the Cuyahoga County Planning Commission representing the Hillcrest Region for the term 1/1/2017 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

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

Clerk Schmotzer read Resolution No. R2017-0023 into the record.

This item will move to the March 14, 2017 Council meeting agenda for consideration for third reading adoption.

- b) R2017-0025: A Resolution confirming the County Executive's reappointment of various individuals to serve on the Cuyahoga Community College Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective:

- i) J. David Heller for the term 3/27/2017 - 3/26/2022.
- ii) Victor A. Ruiz for the term 1/18/2017 - 1/17/2022.

Sponsors: County Executive Budish and Councilmember Brown

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

Clerk Schmotzer read Resolution No. R2017-0025 into the record.

This item will move to the March 14, 2017 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 Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos.

R2017-0024, R2017-0026, R2017-0027, R2017-0028, R2017-0029, R2017-0031, R2017-0032, R2017-0033 and R2017-0034.

- a) R2017-0024: A Resolution confirming the County Executive's reappointment of The Honorable Timothy J. DeGeeter to serve on the Northeast Ohio Regional Sewer District Board of Trustees for the term 3/1/2017 - 2/28/2022, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

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

On a motion by Ms. Brown with a second by Mr. Miller, Resolution No. R2017-0024 was considered and adopted by unanimous vote.

- b) R2017-0026: A Resolution making an award on RQ38497 to Perk Company, Inc. in the amount not-to-exceed \$6,913,335.59 for resurfacing Turney Road from Warner Road to Hathaway Road in the Cities of Cleveland and Garfield Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$3,111,001.02 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Works/Division of County Engineer and Councilmembers
Miller and Jones

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

On a motion by Mr. Schron with a second by Mr. Jones, Resolution No. R2017-0026 was considered and adopted by unanimous vote.

- c) R2017-0027: A Resolution making an award on RQ37349 to Mott MacDonald, LLC in the amount not-to-exceed \$2,143,423.00 for design engineering services for repair and resurfacing of Sprague Road from Webster Road to York Road in the Cities of Middleburg Heights, North Royalton, Parma

and Strongsville; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2017-0027 was considered and adopted by unanimous vote.

- d) R2017-0028: A Resolution making an award on RQ38634 to J.D. Williamson Construction Co., Inc. in the amount not-to-exceed \$1,696,926.45 for replacement of Avery Road Bridge No. 01.16 over Chippewa Creek in the City of Broadview Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount of \$339,385.29 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2017-0028 was considered and adopted by unanimous vote.

- e) R2017-0029: A Resolution amending the 2016/2017 Biennial Operating Budget and Capital Improvements Program for 2017 by revising projects, estimated costs and schedule; and declaring the necessity that this Resolution become immediately effective.

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

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2017-0029 was considered and adopted by unanimous vote.

- f) R2017-0031: A Resolution making awards on RQ36437 to various providers, in the total amount not-to-exceed \$650,000.00, for environmental consulting services for the period 10/1/2016 - 9/30/2019; authorizing the County Executive to execute the Master Environmental Services Agreement and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- i) HzW Environmental Consultants, LLC
 - ii) Hull & Associates, Inc.
 - iii) Partners Environmental Consulting, Inc.

Sponsors: County Executive Budish/Department of Development and Councilmembers Hairston **and Miller**

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Schron with a second by Mr. Hairston, Resolution No. R2017-0031 was considered and adopted by unanimous vote.

- g) R2017-0032: A Resolution authorizing an agreement with Chagrin Valley Dispatch Council in the amount not-to-exceed \$2,545,000.00 for Countywide Criminal Justice Data Sharing System services for the period 3/1/2017 - 2/28/2022; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Public Safety and Justice Services and Councilmembers Hairston, **Schron, Brown, Simon and Jones**

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

On a motion by Mr. Gallagher with a second by Mr. Hairston, Resolution No. R2017-0032 was considered and adopted by unanimous vote.

- h) R2017-0033: A Resolution authorizing amendments to contracts with various providers for staff secure and secure shelter care services for the period 3/1/2016 - 2/28/2018 for additional funds; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) No. CE1600015-01 with Carrington Youth Academy, LLC in the amount not-to-exceed \$2,038,634.00.
 - ii) No. CE1600016-01 with The Cleveland Christian Home Incorporated in the amount not-to-exceed \$588,015.00.

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

On a motion by Mr. Gallagher with a second by Mr. Miller, Resolution No. R2017-0033 was considered and adopted by unanimous vote.

- i) R2017-0034: A Resolution authorizing an amendment to Master Contract No. CE1600056-01-07 for various services for the Cuyahoga Tapestry System of Care for the period 3/1/2016 - 12/31/2018 to change the total amount not-to-exceed from \$5,700,000.00 to \$8,102,048.20 and to authorize funding increases with various previously approved providers; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:
 - i) for community wraparound care coordination and family/youth advocacy and support services:

- a) Applewood Centers, Inc. in the approximate amount of \$460,324.48.
- b) Beech Brook in the approximate amount of \$418,476.80.
- c) Bellefaire Jewish Children’s Bureau no approximate amount anticipated.
- d) Catholic Charities Corporation (Parmadale) in the approximate amount of \$1,185,042.51.
- e) OhioGuidestone no approximate amount anticipated.
- f) Pressley Ridge in the approximate amount of \$338,204.41.

ii) for evaluation, fidelity and monitoring services:

- a) Case Western Reserve University no approximate amount anticipated.

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

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

On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2017-0034 was considered and adopted by unanimous vote.

e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- a) R2017-0015: A Resolution authorizing a sole source contract with Manatron, Inc. in the amount not-to-exceed \$536,429.92 for support and maintenance services for the Manatron Visual Property Tax System and Sigma CAMA Software System 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.

Sponsor: County Executive Budish/Fiscal Officer

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2017-0015 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

Ms. Brown reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, March 7, 2017 at 10:00 a.m.

Ms. Conwell reported that the Health, Human Services & Aging Committee will meet on Wednesday, March 8, 2017 at 1:00 p.m.

Mr. Tuma reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, March 8, 2017 at 10:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, March 6, 2017 at 1:00 p.m. and that the Regional Transportation Advisory Subcommittee will meet on Tuesday, March 7, 2017 at 1:00 p.m.

Mr. Miller reported that the Regional Transportation Advisory Subcommittee will meet on Tuesday, March 7, 2017 at 1:00 p.m.

Mr. Hairston reported that the Community Development Committee will meet on Monday, March 6, 2017 at 10:00 a.m.

Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, March 8, 2017 at 3:00 p.m.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. PUBLIC COMMENT UNRELATED TO AGENDA

The following individuals addressed Council regarding Resolution No. R2017-0030, a Resolution authorizing the issuance and sale of one or more series of County revenue bonds, in an aggregate principal amount that will generate net proceeds of \$140,000,000.00, for the purpose of paying or reimbursing the costs of reconstructing, refurbishing, renovating, upgrading, improving and equipping Quicken Loans Arena:

- a) Norman Edwards**
- b) Mike Burkons**
- c) Peter Pattakos**

The following individuals did not address Council, but submitted their names for the record:

- a) Randy Cunningham**

- b) Chris Scarl
- c) Michael Belkin
- d) Rev. Linda Robinson
- e) Ken Bender
- f) Donna Weinberger
- g) Gregory Terrell
- h) Valerie Southern
- i) Donesha Cooper

The following individuals did not address Council, but submitted written testimony for the record:

- a) James Rokakis
- b) The Honorable Michael Summers, Mayor of Lakewood
- c) The Honorable Michael Procuk, Mayor of Brooklyn Heights, and The Honorable Susan Renda, Mayor of Moreland Hills, on behalf of the Cuyahoga County Mayors and City Managers Association

Ms. Brenda Bickerstaff addressed Council regarding concerns relating to a law enforcement officer.

Ms. Loh addressed Council regarding concerns relating to the Norma Herr women's shelter.

14. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 5:52 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0044

Sponsored by: Councilmember Brown	A Resolution appointing F. Allen Boseman to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2017 - 3/7/2023, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article IX, Section 9.01 of the Cuyahoga County Charter, entitled Personnel Review Commission, creates the Cuyahoga County Personnel Review Commission which is “responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness;” and,

WHEREAS, the Cuyahoga County Charter Section 9.01, states that the County “Council shall appoint the members of the Personnel Review Commission, consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations,” and that, “no more than two of the three members of the Personnel Review Commission shall be members of the same political party;” and,

WHEREAS, the term of office of each member of the Personnel Review Commission shall be six years, and the terms shall be staggered so that no term expires within less than two years of the expiration of any other term; and,

WHEREAS, the County Council has determined to appoint F. Allen Boseman to serve on the Cuyahoga County Personnel Review Commission for the term 3/8/2017 - 3/7/2023; 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 Commission.

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



Littler Mendelson, PC
1100 Superior Avenue
20th Floor
Cleveland, OH 44114

January 27, 2017

F. Allen Boseman, Jr.
216.623.6136 direct
216.696.7600 main
aboseman@littler.com

VIA E-MAIL: COUNCILAPPOINTMENT@CUYAHOGACOUNTY.US

Mr. Kahlil Seren
County Council
2079 East Ninth Street, 8th Floor
Cleveland, Ohio 4115

Re: PRC Commissioner Vacancy

Dear Mr. Seren:

My colleague, Rob Wolff, has advised me that the Personnel Review Commission has a vacancy that I am interested in filling. It is my understanding the PRC has a wide-range of authority focused on personnel matters within the County Executive's organization and departments, including, but not limited to, the County's human resources practices. I believe that I can be an asset to the PRC because of my years of experience counseling, resolving and litigating employment and labor disputes as an experienced attorney with Hahn Loeser & Parks, LLC and Littler Mendelson, P.C. In this role, I have been intimately involved in evaluating human resources practices and offering solutions to employers to bring them into compliance with local, state and federal laws and regulations. In addition, I have a good understanding of many practical issues that may positively or negatively impact the workplace, even if they are not specifically tied to any law or regulation.

In addition to my professional career, I believe that my strong belief in community service makes me an ideal candidate for this position. Indeed, from my perspective, every person should feel a sense of duty to give back to their community by getting involved in efforts to improve the circumstances and the lives of others. For example, I sit on the local board for After School All-Stars and the programs offered are very important to the community because they provide after school activities designed to keep kids safe and help them excel in life as they matriculate through the educational system. These services are necessary and I appreciate the impact that they have on underprivileged kids and their parents every day.

Likewise, the work that the PRC does is critical because it is responsible for overseeing a variety of human resources and employment issues that will have serious and meaningful consequences for hardworking employees of Cuyahoga County. I fully understand that this is a heavy responsibility and I am up for the task. I welcome the opportunity to meet with you to discuss the Commissioner vacancy further and thank you for your consideration.

Mr. Kahlil Seren
January 27, 2017
Page 2

Should you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Regards,

A handwritten signature in black ink, appearing to read 'F. Allen Boseman, Jr.', with a long horizontal flourish extending to the right.

F. Allen Boseman, Jr.

FAB/jrc

F. Allen Boseman, Jr.

Education

The Ohio State University Moritz College of Law, Columbus, Ohio

- J.D. Candidate, May 2008
 - Robert K. Barton Scholarship
- Dean's Award
Academic Promise Award
- Paul D. White Scholarship
Moritz Enrichment Grant

Oakwood University, Huntsville, Alabama

- Bachelor of Science, May 2004
 - Bachelor of Arts, May 2004
- 1st Major: Finance
2nd Major: English
- Magna Cum Laude*
Dean's List: Each Semester

Admissions

- State of Ohio (2008)
- U.S. District Court for the Northern District of Ohio (2009)
- U.S. District Court for the Southern District of Ohio (2009)

Legal Work Experience

Littler Mendelson, P.C.

Labor & Employment Associate

Cleveland, OH

September 2013-Present

- Argued before the Sixth Circuit Appellate Court and decision in favor of client was affirmed
- Drafted motion to dismiss for failure to prosecute that was granted against a plaintiff whose counsel failed to comply with the rules of discovery and schedule reasonable dates for depositions
- Drafted motion to dismiss for failure to prosecute that was granted against a *pro se* plaintiff who failed to appear for two depositions and abused the discovery process with harassing and improper discovery requests
- Negotiated settlement and release of race discrimination claims for a major transportation company for a value substantially less than the original demand proposed by the plaintiff
- Negotiated several settlements and releases for a well-known national, specialty grocery store that stabilized a local Cleveland store
- Negotiated several settlements and releases for a technology company arising out of the termination of several employees for sexual harassment who alleged race and age discrimination
- Negotiated settlement and release of a discrimination claim for \$24,000 after an initial settlement demand well in the six figures was issued to a leading national provider of healthcare services
- Received "no probable cause" findings for every position statement submitted to the Ohio Civil Rights Commission and the Equal Employment Opportunity Commission in response to Charges against clients
- Argued before the Ohio Civil Rights Commission and no probable cause finding was confirmed upon a request for reconsideration
- Developed creative settlement terms between two global health and emergency response companies to resolve a dispute over an employee who was subject to an employment agreement containing restrictive covenants

Hahn Loeser & Parks, LLP

Labor & Employment Associate

Columbus, OH

September 2009-September 2013

- Drafted several complaints and related motions for temporary restraining order securing injunctive relief preventing former employees from using and/or disclosing confidential and/or proprietary information, including without limitation trade secrets
- Drafted several complaints and related motions for temporary restraining order securing injunctive relief preventing former employees from violating non-compete and/or non-solicit agreements
- Drafted motion for judgment on the administrative record for a leading plan administrator that motivated the plaintiff to voluntarily dismiss his ERISA claims with prejudice
- Negotiated settlement and release of ERISA claims for leading plan administrator for a value substantially less than the original demand proposed by the plaintiff
- Negotiated settlement and release of a sex discrimination claim for \$37,500 after an initial settlement demand of \$250,000 was offered to a leading national provider of parking facility management services

- Prepared and defended managers and supervisors from discrimination claims that ultimately resulted in either settlement or judgment in favor of the employer
- Drafted memorandum in opposition to an appeal brief for a Cleveland horse racing track and casino that successfully prevented a former employee from receiving unemployment benefits because he was proven that he was terminated for just cause
- Provided critical assistance in the form of research and strategic analysis for the negotiation team that secured a highly publicized three (3) year agreement between client Hugo Boss and the Workers United union to prevent the closing of Cleveland Hugo Boss plant
- Presented request for proposal, along with five (5) other attorneys, to the largest privately held corporation in the United States that successfully secured additional labor and employment work for Hahn Loeser and Hahn Loeser's status as a "preferred" labor and employment group

Hahn Loeser & Parks, LLP
Litigation Associate

Columbus, OH
September 2008-September 2013

- Drafted memorandum in opposition to motion to dismiss appeal that successfully preserved the appeal of a case valued at \$7 million
- Drafted motion for summary judgment, reply memorandum in support and supplemental reply in support that prevailed against a \$1.6 million claim seeking to hold a construction company liable for the debts of a separate but related construction company
- Assisted in drafting, researching and providing strategic analysis for litigation team that successfully warded off a multi-million dollar lawsuit against BMW Financial Services NA
- Assisted in drafting, researching and providing strategic analysis for motion for summary judgment that conquered a \$1.5 million claim against a global precision engineering company
- Assisted in drafting, researching and providing strategic analysis for dispositive motions that successfully defended against several multi-millionaire dollar cases asserted against one of the leading title companies in the country
- Drafted motion to dismiss that successfully dismissed negligent and fraud claims asserted against Hahn Loeser & Parks LLP premised upon the filing of a provisional patent application alleged to contain
- Obtained preliminary injunction as first chair attorney for wholesale grocer that grossed over a billion dollars in revenue
- Negotiated multiple settlement agreements dispensing of claims alleged to be worth hundreds of thousands of dollars

Hahn Loeser & Parks, LLP
Summer Law Clerk

Columbus, OH
Summer 2007

- Drafted memorandums and pleadings, including complaints, answers, dispositive motions and discovery requests
- Researched and created documents for pro bono projects
- Observed the process of client procurement and settlement negotiations
- Coordinated research duties with other summer associates to successfully complete summer team project
- Reviewed contracts to determine the legal responsibilities of the respective parties and provide strategic analysis of the same

Baker Hostetler, LLP
Summer Law Clerk

Columbus, OH
Summer 2006 & 2007

- Drafted memorandums and pleadings, including complaints, motions for summary judgment and reply briefs, for both partners and associates
- Researched complex and first impression legal issues
- Researched and provided update of Georgia state dental law to confirm client compliance
- Drafted the language of proposed amendment to the ordinance of the City of Worthington, Ohio
- Developed a litigation tool to assist in oral arguments for litigation team

Development Activities & Community Service

- After School All-Stars Board Member
- Member of Cleveland Bar Association
- Member of National Employment Labor Council
- Super Lawyers Rising Star (2013-2016)
- Owner of Tell A Friend Promotions, an event planning company that plans, organizes, promotes and manages social events that provide young entrepreneurs and professionals with networking opportunities

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0045

Sponsored by: Councilmember Brown on behalf of Cuyahoga County Personnel Review Commission	A Resolution adopting the amended Cuyahoga County Personnel Review Commission Administrative Rules as the administrative rules for the Cuyahoga County Personnel Review Commission to be codified in the Cuyahoga County Administrative Code, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 113.02(I), Adoption of Rules, of the Cuyahoga County Code states that: “Notwithstanding any other provision of this Code, in lieu of submitting its rules to the Administrative Rules Board, the Administrative Rules of the Personnel Review Commission shall be submitted to the Council to ensure that a proposed rule is in accordance with the human resources policies established by this Code, as required by Charter § 9.02(4). The specific language of a proposed rule shall clearly identify any new rule and/or any modification, addition, or deletion of an existing rule, and shall be submitted to the Clerk of Council. Unless extended by a formal resolution of Council, the Council shall have not more than sixty (60) days following the submission of the proposed rule(s) to determine whether the proposed rule(s) is/are in accordance with the human resources policies established by this Code. A proposed rule shall not take effect prior to the expiration of the 60-day review period established by this section unless Council approves the rule(s) prior to the expiration of that review period. If Council determines that a proposed rule is in accordance with the human resources policies established in this Code, the Personnel Review Commission shall submit the proposed rule to the clerk of the Administrative Rules Board for codification in the Administrative Code. If Council determines that a proposed rule or any provision of a proposed rule is not in accordance with the human resources policies established by this Code, Council may declare such proposed rule or provision inapplicable to county employees or appointing authorities. Any proposed rule or provision declared inapplicable shall not be codified in the Administrative Code.”

WHEREAS, Section 301.02, Administrative Rules, of the Cuyahoga County Code states that: “The Personnel Review Commission may, in accordance with the policies and procedures set forth in this Code, adopt administrative rules and procedures to carry out its powers and duties as set forth in the County Charter and this Chapter. In the event of a conflict between the Administrative Rules of the Personnel Review Commission and Title 3, Employment Practices, the Code shall prevail.

WHEREAS, in accordance with County Code Section 113.02, on February 27, 2017, the Personnel Review Commission submitted proposed Rule changes to the Cuyahoga County Council, attached as Exhibit A; and,

WHEREAS, it is necessary that this Resolution become immediately effective to insure the efficient operation of the Personnel Review Commission.

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

SECTION 1. Pursuant to Section 113.02(I) of the Cuyahoga County Code, the Cuyahoga County Council hereby approves the Personnel Review Commission Administrative Rules, attached hereto as Exhibit A, as the administrative rules for the Cuyahoga County Personnel Review Commission to be codified in the Cuyahoga County Administrative Code.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2017

CUYAHOGA COUNTY PERSONNEL REVIEW COMMISSION



ADMINISTRATIVE RULES

2429 Superior Viaduct, ~~2nd Floor~~
Cleveland, Ohio 44113

Phone: 216-443-5946~~675~~ Fax: 216-443-3694
<http://prc.cuyahogacounty.us>

REVISED: ~~January 7, 2015~~

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<h2 style="margin: 0;">SECTION 1</h2> <h3 style="margin: 0;">DEFINITIONS</h3>

1.01 Definitions

- (1) *Abolishment* – Means one of the following:
 - a. *Abolishment of Classification* – The permanent deletion of a classification from the organization due to lack of continued need for the classification, due to reorganization for efficient operation, economy or lack of work, or other lawful purpose; or
 - b. *Abolishment of Position* – The permanent deletion of a position from the structure of an Appointing Authority due to lack of continued need for the position, due to reorganization for efficient operation, economy or lack of work, or other lawful purpose.

- (2) *Appeal* – An action by which an affected party challenges the decision or determination of an Appointing Authority, the Director of HR, and/or the Commission.

- (3) *Appointment* – Placement of an employee in a position.

- (4) *Appointing Authority* – Means the same as defined in Section 9.04 of the Cuyahoga County Charter.

- (5) *Charter* – The Cuyahoga County Charter.

- (6) *Classification* – Means one of the following:
 - a. A group of positions of sufficiently similar duties that the same title and specification may be assigned to each; or
 - b. The act of assigning a classification title to a position(s) based upon the duties performed.

- (7) *Commission* or PRC – The Cuyahoga County Personnel Review Commission.

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- (8) *Competitive Examination* – Method used by the Commission to assess the relative capability of qualified applicants to perform the duties and responsibilities of the classification.
- (9) *County* – As defined in the Charter.
- (10) *County Code* – The Code of Cuyahoga County established by Ordinance No. 02013-0001.
- (11) *County Council* – The Cuyahoga County Council.
- (12) *County Executive* – The Cuyahoga County Executive.
- (13) *Demotion* – The act of placing an individual in a position, at the request of an Appointing Authority or the employee, the classification for which carries a lower ~~salary range~~ pay grade than that of the classification the employee currently holds.
- (14) Director of HR – The Director of the Cuyahoga County Human Resources Department as appointed by the County Executive and confirmed by County Council.
- ~~(14)~~(15) PRC Director – The Director of the Cuyahoga County Personnel Review Commission as appointed by the Commission.
- ~~(15)~~(16) Eligibility List – A list of names established by the Commission for the purpose of filling vacancies in the classified service.
- ~~(16)~~(17) Ethics Code/Policy – Title IV of the Cuyahoga County Code and any revisions thereto.
- ~~(17)~~(18) Human Resources Department – The Cuyahoga County Department of Human Resources.
- ~~(18)~~(19) Layoff – A suspension of employment due to either a lack of work or a lack of funds, or other lawful purpose.
- ~~(19)~~(20) Meeting – Any prearranged discussion of the public business of the PRC Commission by a majority of its members.
- ~~(20)~~(21) Noncompetitive Examination – An examination that evaluates individual candidates based upon established criteria to determine which applicants are qualified to fill appointments to positions requiring exceptional qualifications of a scientific, professional, educational, or managerial character or positions where it is impractical to develop and administer competitive examinations.

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~~(21)~~(22) *Pay* – The annual, non-overtime compensation due an employee.

~~(22) *Pay Equity Ordinance* – Chapter 303 of the Cuyahoga County Code and any revisions thereto.~~

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(23) *Pay Grade Range* – The pay ~~grade range~~ assigned to a position or classification.

(24) *Position* – The name that applies to a group of duties intended to be performed by an employee.

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(25) *Promotion* – The appointment of an employee to a different position assigned a higher pay ~~grade range~~ than the employee's previous position.

(26) *Reassignment* – The assignment of an employee to a different classification.

(27) *Reclassification* – The assignment of a position to a different classification.

(28) *Reduction in Pay* – An action that diminishes an employee's pay. When the conditions of entitling an employee to supplemental pay end, the ending of supplemental pay shall not be considered a reduction, nor shall a change in the cost of an ~~a~~Appointing ~~a~~Authority's insurance or other contributions be considered a reduction.

(29) *Reduction in Position* – An action that diminishes an employee's duties or responsibilities to the extent an audit of the employee's position would result in a reclassification to a classification assigned a lower pay ~~grade range~~.

(30) *Removal* – Termination of an employee's employment.

~~(31)~~ *Request for Reconsideration* – ~~—~~A request made by an affected party seeking the Commission's reconsideration of certain pre-employment determinations made by the Commission. ~~-See Rules 7.03 and 9.05.~~

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~~(34)~~(32) *Request for Restoration* – A request made by an affected party seeking the Commission's consideration to restore that party to an established eligibility list. See Rule 9.05.

~~(32)~~(33) *Suspension* – The interruption of an employee's employment and/or compensation for a fixed period of time.

SECTION 2 GENERAL PROVISIONS

2.01 Origin

On November 3, 2009, the citizens of Cuyahoga County, Ohio, adopted a County Charter pursuant to the authority granted to them in Article 10, Section 3 of the Ohio Constitution. Section 9.01 of the Charter required the creation of a Human Resource Commission:

The County Executive, subject to confirmation by the Council, shall appoint the members of a Human Resource Commission, consisting of three electors of the County having experience in personnel matters or personnel administration and who are supportive of equal opportunity considerations.

On November 5, 2013, the citizens of Cuyahoga County, Ohio, adopted amendments to the Charter. ~~Section 9.01 of the Charter was amended to change the name of the Human Resource Commission to the Personnel Review Commission, the members of which shall now be appointed by County Council.~~

~~These Administrative Rules have been adopted pursuant to County Code Section 304.02.~~

~~2.02~~ Purpose

~~Pursuant to Section 9.01 of the Charter, the Personnel Review Commission ("Commission") is responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness.~~

2.02 Relationship to Collective Bargaining Agreements

If an employee's collective bargaining agreement provides for a final and binding arbitration of grievances, such employee and union are subject solely to that grievance procedure and the Commission shall have no jurisdiction to receive and determine any appeals relating to matters that were the subject of a final and binding grievance procedures.

[Bargaining unit employees may have the right to file claims of retaliation pursuant to the County's Code of Ethics, Title IV of the County Code. \[Reference County Code Chapter 406 and Section 407.02\(B\)\].](#)

~~2.0~~ Recordkeeping

~~The Commission shall maintain a record that shall be open to public inspection, in which it shall keep records of all of its proceedings and of the vote of each of its members upon every action taken by it.~~

~~The Commission shall properly adopt a records retention schedule in accordance with Chapter 149 of the Ohio Revised Code.~~

2.03 Merit Principles

Pursuant to Section 9.01 of the Charter, the Commission shall be responsible for administering an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness. To this end, the Commission has adopted the following Merit Principles to guide its work to fulfill its Charter responsibilities. These Merit Principles do not confer any additional rights upon an employee before the Personnel Review Commission.

Principle #1

Recruitment should be from qualified individuals from appropriate sources in an endeavor to achieve a work force representative of the region, and selection and advancement should be determined solely on the basis of relative ability, knowledge, and skills, after fair and open competition which assures that all receive equal opportunity.

Principle #2

All employees and applicants for employment should receive fair and equitable treatment in all aspects of personnel management without regard to race, ethnic background, national origin, sex, gender, sexual orientation, genetic information, disability, political affiliation or opinion, military status, religious belief, gender identity, or age of any applicant unless otherwise lawfully required.

Principle #3

Equal pay should be provided for work of comparable value, with appropriate consideration of rates paid by employers in the relevant labor market, as determined by the County, and appropriate incentives and recognition should be provided for excellence in performance. Pay equity is achieved when persons performing work in like positions across the Cuyahoga County government organization are paid on the basis of their relative qualifications and performance, with regard to the relevant labor market and within the compensation policy framework designed by the County to achieve internal and external equity in compensation practices.

Principle #4

All County employees should maintain high standards of integrity, conduct, and concern for the public interest of the citizens of Cuyahoga County.

Principle #5

The Cuyahoga County government workforce should be used efficiently and effectively, without duplication of effort, and the County should employ an efficient and economical system for employment of persons in the public service of the County according to merit and fitness, that is, on the basis of employees' qualifications and conduct and capacity in office.

Principle #6

Employees should be retained on the basis of adequacy of their conduct and capacity in office, inadequate performance should be corrected, and employees who cannot or will not improve their performance to meet required standards should be separated from County employment.

Principle #7

Employees should be provided effective education and training in cases in which such education and training would result in better organizational and individual performance.

2.04 **Construction**

These Rules shall be construed so as to carry out their purposes as determined from both the literal reading of the Rules and their context. -The Rules shall not be construed in a way that limits the Commission's power to interpret and apply the Rules within the scope of their authority under the Charter, County Code, Council Ordinances and Resolutions, and general law.

2.05 **Savings Clause**

If any section of these Rules is held by a court of competent jurisdiction to be invalid, the same shall not invalidate or impair the validity, force, and effect of any other section or part of a section of these Rules unless it clearly appears that such other section or part of a section is wholly or necessarily dependent for its operation upon the section or part of a section held invalid.

SECTION 3
POWERS AND DUTIES OF THE COMMISSION

3.01 **Authority and Jurisdiction**

Pursuant to the Charter, the Commission shall have:

Cuyahoga County Personnel Review Commission PRC-Administrative Rules	Page: 9 Revised: 01/7/2015
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- (1) Responsibility for the resolution or disposition of all personnel matters, with authority to appoint hearing officers to hear all employee appeals previously under the jurisdiction of the State Personnel Board of Review, including those of classified employees who work for the County Executive, Prosecuting Attorney, County Planning Commission, and the County Public Defender;
- (2) Responsibility for administration of countywide compliance with federal and state laws regarding personnel matters for which the County is the reporting unit and for maintenance of records required by such laws;
- (3) For the County Executive's organization and departments, authority to ensure:
 - a. Pay equity for like positions;
 - b. Standardization of benefits;
 - c. Approval of qualifications;
 - d. Consistent discipline;
 - e. Training of management in personnel practices;
 - f. Training of employees in job functions;
 - g. Training for total quality management;
 - h. Consistent administration of performance management system;
 - i. Coordination of recruitment;
 - j. Compliance with ethics resolutions or ordinances as passed by the Council;
- (4) Responsibility for creation of rules and policies related to the Personnel Review Commission's authority set forth in the Charter, County Code, and general law where applicable;
- (5) Responsibility for administering a clear, countywide classification and salary administration system;
- ~~(6) Responsibility for ensuring compliance with ethics resolutions and ordinances passed by County Council, including the authority to hear whistleblower appeals pursuant to the Ethics Code, as well as, appeals of job audit determinations including step placement per the Pay Equity Ordinance;~~
- ~~(7) Responsibility for administering, for and in cooperation with the officers, agencies, boards, and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness;~~
- ~~(6)~~
- ~~(7)(8)~~ Responsibility for conducting inquiries regarding the abuse of the power of appointment, layoff, removal, reduction, suspension, or otherwise violating laws, rules, or ordinances the Commission is charged with enforcing, and to report the inquiry findings to County Council (See Rule 12.04); and

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~~(8)~~(9) Such other functions as may be deemed necessary by the Council for the Commission to carry out its mission and purpose.

3.02 Jurisdiction

The Commission shall hear appeals of classified employees from final decisions of Appointing Authorities, the County Executive, the Director of HR, or their designee relative to the following employment actions:

- (1) Reduction in pay or position;
- (2) Job abolishment / layoff;
- (3) Suspension of more than forty (40) work hours for FLSA exempt employees;
- (4) Suspension of more than twenty four (24) work hours for FLSA non-exempt employees;
- (5) Discharge (removal from employment);
- (6) Assignment or reassignment to a new or different classification;
- (7) Refusal of the Director of HR to reassign an employee to another classification or to reclassify the employee's position with or without a position audit;
- (8) Failure to remove duties deemed outside the employee's classification within the 45-day period per Section 303.01 of the County Code; and
- (9) Other appeals as provided for by Council ordinance.

The Commission shall hear appeals in the following categories for both classified and unclassified employees:

- (1) Whistleblower appeals pursuant to the County's Ethics Policy (Title IV of the County Code);
- (2) Determination of unclassified status; and
- (3) Other appeals as provided for by Council ordinance.

For purposes of this Rule, "discharge" includes disability separations.

Determination of the classified or unclassified status of an employee shall be done in accordance with general law.

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~~to fulfill its Charter responsibilities region, race, ethnic background, national origin, sex, sexual orientation, genetic information, medical condition, political affiliation or opinion, military status, religious belief, gender identity, or age of any applicant unless otherwise lawfully required.~~

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~~comparable and performance,~~

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3.032 Classification Plans

Pursuant to Section 9.03 of the Charter, the Commission shall administer a clear, countywide classification and salary administration system in accordance with the requirements set forth in the Charter.

3.043 Civil Service Testing

Pursuant to Section 9.01 of the Charter, the Commission shall be responsible for administering an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness. To this end, the Commission has authority, including but not limited to the following:

- (1) To prepare, conduct, grade, and validate all competitive examinations for positions in the County's classified service;
- (2) To evaluate qualifications ~~for~~ all noncompetitive positions in the County's classified service; and
- (3) To prepare and maintain eligibility~~le~~ lists containing the names, scores, and rankings of persons qualified for appointment to positions in the County's classified service.

[Reference Section 303.03(A) of the County Code]

3.054 County Human Resources Policies and Systems

The County's human resources policies and systems shall be established by ordinance. The Commission shall review and submit a recommendation regarding any ordinance concerning County personnel policies prior to passage by County Council. -In the event the Commission does not endorse an ordinance, the Commission may provide a Statement of Non-Endorsement to the Council.

[Reference Article IX, Section 9.01 of the Cuyahoga County Charter]

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3.065 Subpoena Powers

The Commission has authority to subpoena and require the attendance and testimony of witnesses and the production of books, papers, public records, and other documentary evidence pertinent to any matter it has authority to hear.

All employees and officials ~~officers in the civil service~~ of the County shall attend and testify when summoned to do so by the Commission. Depositions of witnesses may be taken by the Commission or designee, or any member of the Commission, in the manner prescribed by law for like depositions in civil actions in the courts of common pleas. —In case any person, in disobedience to any subpoena issued by the Commission, or any member of the Commission, fails or refuses to attend and testify to any matter regarding which the person may be lawfully interrogated, or produce any documentary evidence pertinent to any hearing, the court of common pleas of any county, or any judge of the court of common pleas of any county, where the disobedience, failure, or refusal occurs, upon application of the Commission, or any member of the Commission, shall compel obedience by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from the court or a refusal to testify in the court.

Parking fees and mileage shall be allowed to witnesses and, on their certificate, duly audited, shall be paid by the Cuyahoga County Treasurer.

~~3.06~~ — Delegation of Certain Administrative Functions

~~The Commission delegates the following administrative functions to the Human Resources Department, which shall serve under the day-to-day direction of the Director:~~

- ~~(1) Management and implementation of personnel policies and practices that comply with federal and state employment laws and for the maintenance of records required by such laws;~~
- ~~(2) Providing copies of all Human Resources Policies and Procedures to all County employees, as well as, providing copies of Ohio laws and County ordinances relating to ethics policies to County public officials and employees;~~
- ~~(3) Conducting ethics training programs and classes for County public officials and employees;~~
- ~~(4) Ensuring that public officials and employees acknowledge, in writing, receipt of the materials and attendance to all programs and classes identified in the preceding paragraphs of this Section; and~~
- ~~(5) Post whistleblower provisions of the Ethics Code on the Cuyahoga County website and in all physical locations where other human resources policies are posted.~~

~~The Commission retains the authority to exercise all its Charter mandated duties and administrative functions not expressly delegated in this Section. The Commission may modify this Rule via resolution of the Commission. The Commission shall retain an oversight role regarding all powers and duties delegated under this Section. The Department of Human Resources shall provide reports to the Commission regarding the Department's performance of the delegated functions. The specific reporting schedules and content of reports shall be determined by the Commission and will be adopted by resolution of the Commission.~~

3.07 Ethics

Pursuant to Section 9.02 of the Charter, the Commission shall have the authority to ensure compliance with ethics resolutions or ordinances passed by County Council. ~~The Commission shall be the ethics compliance and training body for the County as set forth in the Ethics Code.~~ To this end, the Department of Human Resources shall provide reports regarding the performance of its duties under the County's Ethics Policy (Title IV of the County Code) to the PRC. The PRC will provide an annual report to County Council per Section 407.02(A) of the County Code.

~~The Commission delegated certain portions of its duties under the Ethics Code to the Human Resources Department as set forth in Rule 3.06 herein.~~

Whistleblower Appeals

The Commission shall hear appeals from disciplinary or retaliatory actions taken against ~~all classified or unclassified~~ employees of the County, as a result of the employee's whistleblower report made pursuant to the County Ethics Policy Code. When an employee files a whistleblower appeal, the Commission will determine whether a proper report was made under the Ethics Policy Code and whether a causal relationship exists between such report and the County's actions. If the Commission finds a violation of the Ethics Code Policy, the Commission may impose a remedy up to and including reinstatement. [Reference Chapter 406 and Section 407.02 Title IV of the County Code]

The employee shall file an appeal within thirty days after receiving actual notice of the alleged disciplinary or retaliatory action.

~~Additionally, the Ethics Code grants the Commission the authority to write and send letters of notification, admonition, and censure regarding ethics law violations, when applicable. The Commission, however, shall not exercise this authority unless one of the following occurs:~~

- ~~• The Inspector General requests assistance from the Commission due to a conflict of interest; or~~
- ~~• The Commission, by a majority vote, determines that it is necessary to exercise this authority.~~

3.08 Compliance

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In order to meet its obligations under Section 9.02 of the Charter, the Commission will provide periodic compliance reports to County Council regarding the County's personnel practices.

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SECTION 4 MEETINGS

4.01 Public Meetings

The Commission shall hold meetings as often as necessary to complete Commission business. ~~All meetings of the Commission shall be open to the public and include a time for public comment.~~

The Commission's ~~conducting of~~ quasi-judicial hearings and its deliberations when acting in its quasi-judicial capacity are not "meetings" for purposes of this Section or Section 121.22 of the Ohio Revised Code.

The Commission shall elect one of its members as the Chairperson and elect one of its members as Vice-Chairperson of the Personnel Review Commission at their first meeting in January on a biennial basis beginning in 2015.

In the event of a vacancy in the Chair position, the Vice-Chair shall assume the duties of the Chair for the remainder of the biennial period.

4.02 Notice

~~The schedule~~ Notice of for regular meetings, meeting agendas, and minutes shall be posted under the "Public Notices" section of on the Commission's website. Cuyahoga County's main webpage (http://www.cuyahogacounty.us). ~~In addition, notices of meetings, meeting agendas and minutes shall be posted on the Commission's webpage (http://prc.cuyahogacounty.us).~~

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If you wish to be notified via electronic mail of all PRC meetings, please send such request to the PRC via email (personnelreviewcommission@cuyahogacounty.us).

Notices of special meetings shall be posted in the manner described above. When a special meeting is held to discuss particular issues, the statement of the meeting's purpose must specifically indicate those issues, and only those issues may be discussed at that meeting.

4.03 Quorum

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The physical presence of two members of the Commission at any scheduled meeting constitutes a quorum. The Commission cannot act without a quorum.

4.04 Executive Session

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The members of the Commission may hold an executive session at a regular or special meeting for the purpose of considering one of the authorized matters provided in Section 121.22 of the Ohio Revised Code.

4.05 Minutes

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The minutes of all meetings of the Commission shall be promptly prepared, and will be posted on the PRC's website filed, and maintained and shall be open to public inspection following approval of the minutes by the Commission. The minutes need only reflect the general subject matter of discussions in executive sessions.

SECTION 5 RULE-MAKING

5.01 Rule-Making Procedure

As used in this Section:

- (A) ~~“Rule” refers to the PRC Administrative Rules, and the Cuyahoga County Personnel Policies and Procedures Manual, and employee classifications in the County's Class Plan;~~
- (B) A “rule change” means the addition of a new Rule, or rescission or amendment of an existing Rule.

Rule changes may be proposed to the Commission by the PRC ~~Administrator~~Director, the Director of HR, or by an individual Commission member. ~~Proposed rule changes shall be submitted with a coversheet containing the following information:~~

- (1) A statement declaring the intention to consider adopting, amending, or rescinding the rule;
- (2) A synopsis of the proposed rule change ~~a general statement of the subject matter to which the proposed rule change relates;~~ and
- (3) A statement of the reason or purpose for the rule change.

Upon receipt, the Commission shall post the proposed rule changes and the coversheet on its webpage (<http://prc.cuyahogacounty.us>). ~~The posting shall include the date, time and place of the Commission meeting where the proposed rule change will be heard.~~ The public shall be permitted to comment regarding the proposed rule change in accordance with ~~Section~~[Rule](#) 4.01 ~~of these Rules.~~ ~~The Commission may act on a proposed rule change only after such rule change has been posted for a minimum of twenty (20) days.~~

If ~~a~~ proposed rule change to the Cuyahoga County Personnel Policies and Procedures Manual ~~or employee classifications in the County's Class Plan~~ is approved by a majority vote of the Commission, such rule change will be referred to County Council for its consideration and becomes effective only after approval by County Council.

If a proposed rule change to the PRC Administrative Rules is approved by a majority vote of the Commission, such rule change will be referred to County Council for adoption pursuant to County Code Section 113.02(l).

Notwithstanding the foregoing, the PRC ~~Administrator~~[Director](#) is authorized to approve minor revisions to a ~~R~~[Rule](#) if such revision does not alter the meaning or intent of the ~~R~~[Rule](#). ~~If the PRC Administrator~~[Director](#) makes such a change, a record will be created to reflect the modification and the purpose of the change.

SECTION 6 CLASSIFICATION AND COMPENSATION PLANS
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6.01 Classification Plan

As required by the Charter, the Commission shall administer a countywide classification and compensation plan that includes the classified employees (if any) of the County Executive's office, departments and agencies, County Council, ~~Fiscal Office, Law Department, Sheriff's Department, Public Works, Medical Examiner, Clerk of Courts, Treasurer,~~ Public Defender, Prosecutor, Personnel Review Commission, ~~Inspector General, County Planning Commission,~~ and the County Audit Committee.

The classification plan shall be ~~administered~~[adopted](#) and maintained by the Commission and is subject to ~~and~~[approved](#) by County Council. ~~The plan shall provide for the classification and standardization of all positions in the County's classified service. The classification system will serve to organize the work performed by the County's classified employees, and will organize positions into classifications on the basis of duties and responsibilities. Classifications are organized into class series, which groups two or more classes that are similar in the type of work but differ in levels of complexity, difficulty, and managerial responsibility. Each position within the~~

classified service shall have a corresponding classification specification which shall contain the minimum qualifications for appointment to the class.

Each position within the unclassified service shall have a corresponding job description which shall identify the basis upon which the position is exempted from the classified service.

[Reference Sections 303.01 and 303.04(A) -of the County Code]

6.02 Competitive and Noncompetitive Classes

~~Following the effective date of this section and a~~Anytime a classification is created ~~thereafter,~~ the Commission shall determine whether the class is to be designated as competitive or noncompetitive. In making this determination, the Commission shall consider the following factors:

- (1) The practicality of testing for the class by competitive examination in accordance with generally accepted psychometric standards;
- (2) Whether the class requires peculiar or exceptional qualifications of a scientific, managerial, professional, or educational character as demonstrated by:
 - a. the level of education, the field of study, and the degree of specialization required;
 - b. the kind, level, and amount of work experience required;
 - c. a special license or certificate required; and/or
 - d. any recruiting or other information relating to the number or availability of qualified applicants.
- (3) Whether the class consists of unskilled labor positions ~~that are impractical to test for competitively;~~ and
- (4) Any other relevant information.

Upon revision of a classification or at the request of the Director of HR, the assignment of a class as competitive or noncompetitive shall be ~~reviewed-determined~~ by the Commission.

6.034 Compensation Plan

The Commission shall administer a compensation plan for the County's non-bargaining ~~unit,~~ classified employees, and shall recommend to County Council such modifications

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as needed to ensure the system provides for compensation based on merit and fitness and to ensure pay equity in like classifications. The ~~PRC~~Commission's administration of the classification and compensation plans includes but is not limited to performing job analysis, salary surveys, periodic classification and compensation system reviews to ensure system components support the principles of merit, fitness, and pay equity, development of position descriptions and classification specifications, and research ~~recommendation~~ of best classification and compensation practices. ~~The Commission shall recommend those best practices in classification and compensation to County Council as needed to ensure pay equity in like classifications.~~ Job audits ~~performed at the request of classified employees~~ will be conducted by the Department ~~of~~ Human Resources ~~Department~~.

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[Reference Section 303.04(B) -of the County Code]

6.04 ~~Changes~~Modifications ~~to the Classification and Compensation Plans~~

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~~The Commission may consider changes to the class plan upon request via the procedure set forth in Rule 5.01 herein.~~

Proposed modifications to the Classification and/or Compensation Plan(s) shall be posted on the Commission's website for a minimum of seven (7) days prior to the Commission taking any action on the proposed modifications. The posting will state the date of the Commission meeting at which the proposed modifications will be considered.

The public shall be permitted to comment regarding the proposed modifications during the public meeting at which the proposed modifications are being considered by the Commission (see Rule 4.01).

If the proposed modification(s) is approved by a majority vote of the Commission, such modification(s) will be referred to County Council for its consideration. ~~Modifications to the Classification and Compensation Plans are effective only after approval by County Council.~~

Notwithstanding the foregoing, the PRC Director is authorized to approve minor revisions to the Classification and/or Compensation Plan(s) if such revision does not alter the meaning or intent. ~~If the PRC Director makes such a change, a record will be created to reflect the modification and the purpose of the change.~~

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6.05 Unclassified Service

The unclassified service consists of positions that are specifically exempted from the classified service by general law. ~~Persons employed in a position in the unclassified service serve at the pleasure of the~~ Appointing ~~a~~Authority and may be removed from their unclassified position at any time for any lawful reason.

6.065 Civil Service Status Reports

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All ~~A~~ppointing ~~a~~Authorities shall provide quarterly reports to the Commission detailing the appointment of employees to the classified and unclassified service ~~to the Commission.~~ ~~in accordance with the procedures that shall be determined by the Commission.~~

The Department of Human Resources shall provide an annual list to the Personnel Review Commission of all current employees and their civil service status.

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The content of any written report described in this Rule shall not confer any additional rights upon the employee before the Personnel Review Commission or in any other appellate body with jurisdiction over an appeal of the employee.

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[Reference Section 303.04(A) of the County Code]

SECTION 7 ANNOUNCEMENTS & APPLICATIONS

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7.01 Examination Announcement

The Commission shall give reasonable notice of the time, place, and general scope of competitive examinations for positions in the classified civil service. Examination announcements shall be posted electronically on both the Personnel Review Commission's and Cuyahoga County's website.

The examination announcement shall contain the title, definition, salary range, and ~~minimum~~ minimum requirements ~~qualifications~~ for the classification. The examination announcement shall also indicate the last day and hour that applications will be accepted.

In addition, if the eligibility list resulting from the examination will be limited to a particular Appointing Authority per Rule 9.02 herein, such limitation shall be set forth in the examination announcement.

The Commission shall establish and publish minimum ~~qualifications~~ requirements for each position, which shall be included in the official announcement of each examination.

[Reference Section 303.03(B) of the County Code]

7.02 Applications

Applicants for classified civil service positions shall file one application that will serve as both the request to take the examination and as the application for employment with the County.

Job postings and Applications are available at the County's Human Resources Department website (<http://hr.cuyahogacounty.us>).

~~Once filed, applications become the property of the County and shall not be returned to the applicant.~~

[Reference Section 303.03(B) of the County Code]

7.03 Rejection of Applicants

All applications shall be reviewed by an authorized representative of the Commission. Applications may be rejected for any of the following reasons:

- (1) It was not filed within the prescribed time period.
- ~~(2) That the applicant has not met one or more of the minimum requirements of the position.~~
- ~~(2) That the applicant has not met one or more of the minimum requirements qualifications of the position.~~
- (3) That the applicant has made a false statement on the application.
- (4) Any just or reasonable cause that is job-related, and not discriminatory, as determined by the Commission. ~~determined by the Commission.~~

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Upon rejecting any application, the Commission shall promptly notify the applicant of the reason for the rejection at the electronic mail address provided on the application. The applicant may, within five (5) calendar days after the date of the notice, file with the Commission a Request for Reconsideration form (available on the PRC's website: <http://prc.cuyahogacounty.us>) ~~written request for reconsideration of such rejection that shall set forth why the rejection was in error and providing evidence of the same. Only requests made using the proper form and submitted by the deadline will be considered.~~

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The Commission will not consider requests that contest the qualifications established for the position. If a request for reconsideration from a rejection is pending at the time an examination is scheduled to be held, the applicant shall be allowed to take the examination pending the resolution of the request. If after review, the Commission, ~~after review, the Commission,~~

~~within its sole discretion, find~~ it is determined that the rejection is justified, the examination paper shall not be graded. Consideration of an applicant's request for reconsideration shall not be quasi-judicial and shall not result in a final order that entitles the applicant to an administrative appeal to the Commission.

[Reference Section 303.03(C) of the County Code]

7.04 Accommodation

The examination announcement will advise potential applicants as to the procedures by which a potential applicant may request reasonable accommodation for a disability, as defined by applicable law, in order to participate in the application process and/or examination process.

7.05 Equal Employment Opportunity

Applications will be accepted without regard to the race, ethnic background, national origin, sex, sexual orientation, genetic information, medical condition, political affiliation or opinion, military status, religious belief, gender identity, or age of any applicant unless otherwise lawfully required.

SECTION 8 EXAMINATIONS

8.01 Character of Examination

Examinations will be developed so as to be job-relevant and to measure the relative capacity and fitness of the persons examined to discharge the duties of the positions to which they seek to be appointed.

8.02 Scheduling of Examination

The time, place, and type of an examination shall be determined by the Commission. The Commission may cancel or postpone an examination because of inadequate number of applicants, a change in requirements, or for other sufficient cause. Cancellations or postponements shall be posted on the Commission's website, and each qualified candidate shall be notified via electronic mail.

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In certain circumstances, the Commission may allow for examination rescheduling for candidates who cannot attend their regularly-scheduled administration for legitimate, verifiable reasons. Candidates will be notified via electronic mail if rescheduling is permitted for an examination. Rescheduling determinations will be made on a case-by-

case basis according to the PRC's rescheduling policy, which is available on the PRC's website (<http://prc.cuyahogacounty.us>).

Under no circumstances will additional exam administrations be scheduled or held after the eligibility list for said examination is established.

~~The time, place, and type of an examination shall be determined by the Commission. The Commission may cancel, or postpone an examination because of inadequate number of applicants, a change in requirements, or for other sufficient cause. Cancellations or postponements shall be posted on the Commission's website and each applicant shall be notified via electronic email.~~

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~~In order to avoid unnecessarily long delays in establishing an eligibility list, only one additional exam administration will be scheduled for all candidates with scheduled, non-emergency conflicts, and only one additional exam administration will be scheduled for all candidates with emergency conflicts. This assumes these candidates submit acceptable, verifiable requests for rescheduling. Whenever possible, these additional administrations shall be scheduled within one week of the original administration period. No further attempts shall be made for candidates who cannot attend these administrations.~~

8.03 Contents of Examination

Examinations may include an evaluation of such factors as education, training, capacity, knowledge, manual dexterity, and physical or psychological fitness. ~~Tests may be written, oral, physical, demonstration of skill, or an evaluation of training and experience, and shall be designed to fairly test the relative capacity of the persons examined to discharge the particular duties of the position for which appointment is sought. Tests may include: structured interviews, assessment centers, work simulations, examinations of knowledge, skills, and abilities, and any other acceptable testing method.~~

No question on the examination shall relate to the race, ethnic background, national origin, gender, sexual orientation, genetic information, medical condition, political affiliation or opinion, ~~or religious belief,~~ gender identity, or age of any applicant unless otherwise lawfully required.

~~A Commission-approved EEO applicant information form shall be furnished to all applicants for employment or examination. The completion of the EEO form shall be wholly voluntary, and no applicant shall be adversely affected in any way for having~~

~~refused to complete such form. If completed by an applicant, the EEO form shall be physically separated from the application.~~

8.04 Identity of Examinee Concealed

The identity of all persons taking competitive examinations shall be concealed by the use of an identification number, which shall be used on all examination papers. This number shall be used from the beginning of the examination until after the papers are rated. Any examination papers bearing the ~~applicant~~candidate's name or any other identification mark shall be rejected and the candidate so notified.

8.05 Fraud in Examinations

Fraud in examinations is prohibited and shall result in automatic disqualification. ~~No~~ person shall:

- (1) Falsely mark, grade, estimate, or report upon the examination or proper standing of any person examined, registered or certified pursuant to the provisions of the civil service law, or aid in so doing;
- (2) Make any false representations concerning the results of such examination or concerning any person examined;
- (3) Furnish to another person special or secret information for the purpose of either improving or injuring the prospects or chances of another person so examined, registered, or certified, or to be appointed, employed, or promoted;
- (4) Impersonate another person, or permit or aid in any manner another person to impersonate ~~a an applicant~~candidate, in connection with any examination, registration, or appointment, or application or request to be examined, registered, or appointed;
- (5) Furnish false information about himself/herself, or other person, in connection with any examination, registration, or appointment or application or request to be examined (including a request for examination rescheduling or reasonable accommodation), registered, or appointed;
- (6) Make known or assist in making known to any applicant for examination any question to be asked on such examination;
- (7) Acquire, through fraudulent means, any exam content or question(s) to be asked on the examination prior to the examination; or
- (8) Personally solicit a favor from any appointing officer, or have any person on his/her behalf solicit a favor pertaining to the testing procedures of the PRC.

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Any person or persons attempting to deceive any of the examiners in any manner whatsoever ~~by impersonation or by assisting or receiving assistance~~ shall be prohibited from taking any examination for employment with the County for a period of two (2) years. If the person is already in the County service, such conduct shall be grounds for disciplinary action: the Commission will notify the Director of HR upon learning of any such conduct.

[Reference Section 303.03(D) of the County Code]

8.06 Method of Grading

The method of grading—including the setting of minimum passing scores, weighting of multiple test components, rank ordering, banding, ~~protests,~~ or any other consideration in determining ~~an applicant~~candidate's score on an employment test—shall be determined by the Commission on a test-by-test basis.

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[Reference Section 303.03(E) of the County Code]

8.07 Credit for Military (Uniformed) Service

~~and~~Any person, who has been honorably discharged from the uniformed services or transferred to the reserve with evidence of satisfactory service may file with the Commission Form DD214, member copy 4 as proof of military service, and, upon verification, the person shall receive an additional credit of ~~five (5) numerical points or~~ 5% of ~~the maximum score for the examination, his or her score, whichever is greater,~~ provided the applicant candidate has received a passing grade in all phases of the examination before addition of the military service credit.

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Any person in good standing of a reserve component of the armed forces of the United States who successfully completes the member's initial entry-level training may submit to the Commission proof of such completion, and, upon verification, the person shall receive an additional credit of 5% of the maximum score for the examination, provided the candidate has received a passing grade in all phases of the examination before addition of the military service credit.

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~~As proof of military service, the applicant shall file Form DD214 Proof of uniformed service shall be filed on or before the date and time of the examination administration in order to receive the military service credit., member copy 4. Credit for military service will not be given if the request for such credit is received by the Commission after the closing date for applications.~~

As used in these Rules, "uniformed services" and "reserve component" include service in the Army, Navy, Marine Corps, Air Force, Coast Guard, Army Reserve, Naval Reserve, Marine Corps Reserve, Air Force Reserve, Coast Guard Reserve, Army National Guard, Air National Guard, Commissioned Corps of the Public Health Service,

or any other category of persons designated by the President in time of war or emergency.

~~As used in these Rules, "service in the uniformed services" and "uniformed services" have the same meaning as the "Uniformed Services Employment and Reemployment Rights Act of 1994,..." 38 U.S.C.A. 4303" which meaning shall be:~~

~~The Armed Forces, the Army National Guard and the Air National Guard when engaged in active duty for training, inactive duty training, or a full-time National Guard duty, the commissioned corps of the Public Health Service, and any other category of persons designated by the President in the time of war or national emergency.~~

[Reference Section 303.03(F) of the County Code]

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8.08 Examination Records

All selection devices and examination papers are the property of the Commission and shall be treated as confidential records to the maximum extent possible under law.

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8.09 Notice of Results

After the grading of the examination has been completed, all candidates who took the exam shall be notified via electronic mail when the eligibility list has been posted to the Commission's website.

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~~After the grading of the examination has been completed, all applicants shall be notified via electronic mail of their final grade and relative position on the eligibility list established from the examination.~~

8.10 Noncompetitive Examinations

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The Commission may suspend competition for positions in the categories identified in Rule 6.02.~~which require exceptional qualifications of a scientific, managerial, professional or educational nature as provided in Rule 6.02.~~

For positions designated as noncompetitive, the applicants shall file an application for employment together with such proof of education, training, experience, ability, and character, as shall be set forth in the examination announcement.

~~The Commission shall evaluate the a~~Applications will be evaluated by Commission staff to determine if the applicants meet the minimum requirements of the class specifications for the class being examined. -Following this review, an eligibility list shall be prepared including the names of all applicants who met the minimum requirements. Applicants will appear in alphabetical order.

[Reference Section 303.03(G) of the County Code]

8.11 Reexamination Policy

Once an eligibility list has been established as the result of an examination, candidates who ~~participated in~~ attended the examination (including those who voluntarily withdrew), ~~process~~ will not be permitted to reexamine for that position ~~until the eligibility list~~ prior to the scheduled expiration of the eligibility list unless the list is fully exhausted or a period of four months has passed from the establishment date, whichever occurs last. This includes any additional exam scheduled due to fewer than ten (10) names remaining on the eligibility list, as provided in Rules 10.02 and 10.03. ~~Once an eligibility list expires or is exhausted,~~ eligible candidates who meet the minimum requirements of the classification may be eligible for reexamination only if a new exam is scheduled in order to establish a new eligibility list, and then only if they reapply in response to the new exam announcement.

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SECTION 9 ELIGIBILITY LISTS

9.01 Posting of Lists

From the results of each competitive examination, the Commission shall ~~establish and keep open to public inspection~~ post on its website a list of the persons whose grade in any examination meets or exceeds the minimum passing grade and who are otherwise eligible (the "eligibility list") for the duration of the eligibility list per Rule 9.02.

9.02 Duration of Lists

Eligibility lists established by the Commission shall remain in force not longer than one (1) year or until exhausted; however, the Commission may, at its discretion, extend the eligibility list. If the Commission extends the eligibility list, the new expiration date will be noted on the public eligibility list, and all candidates remaining on the list will be notified via email of the extension.

~~The Commission may limit an eligibility lists to a particular Appointing Authority; notice of such limitation shall be provided in the examination announcement.~~

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9.03 Breaking Tied Grades

In the event two (2) or more ~~applicants~~ candidates receive the same grade on an open competitive examination in which rank ordering is used in establishing the eligibility list, priority in the time of filing the application shall determine the order in which their names shall be placed on the eligibility list; ~~applicants~~ candidates eligible for uniformed service credit shall receive priority in rank on the eligible list over non-veterans on the list with a rating equal to that of the veteran. Ties among candidates ~~applicants~~ receiving military service credit shall be decided by which application was filed earlier with the Commission.

[Reference Section 303.03(1) of the County Code]

9.04 Candidate Contact Information ~~Change of Address~~

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Each candidate is responsible for notifying the Commission of any change in the candidate's contact information. ~~Failure to provide up-to-date contact information can affect your rights as provided in Rule 9.05(6). person on an eligibility list shall file with the Commission a written notice of any change of address, and failure to do so may be considered sufficient reason for not certifying the applicant's name to the appointing authorities for consideration for appointment.~~

9.05 Removal from List

Upon receiving notification from the Appointing Authority, Director of HR, or the PRC ~~Administrator~~ Director, names may be removed from an eligibility list ~~by action of the Commission~~ for the following reasons:

1. At the request of the eligible candidate.
- ~~2.~~ After declining a conditional offer for the positions.
3. After three certifications or considerations without receiving an ~~appointment conditional offer.~~
4. Failure to pass a pre-employment background check and/or drug or alcohol screen.
5. Failure to appear for an interview.
6. Inability to contact the candidate via the contact information on file with the Commission ~~locate the eligible at his or her last known address.~~
7. Practice or attempt to practice any deception in his or her application or in securing eligibility or appointment.
- ~~2-8.~~ Any just or reasonable cause that is job-related and non-discriminatory.
- ~~53.~~ Failure to pass a pre-employment background check and/or drug or alcohol screen.

- ~~64. Failure to appear for an interview.~~
- ~~75. Inability to locate the eligible at his or her last known address.~~
- ~~86. Practice or attempt to practice any deception in his or her application or in securing eligibility or appointment.~~
- ~~97. Any just or reasonable cause that is job-related and not discriminatory as determined by the Commission.~~
- ~~Any other just or reasonable cause.~~

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For the purpose of this rule, "removal" from an eligibility list constitutes the removal of the candidate from consideration in any current or future hiring process for the life of the list. However, it does not constitute a modification of the eligibility list such that a This does not mean a candidate's name will be removed from the eligibility list posted on the PRC's website is no longer included. Once the eligibility list is posted on the PRC's web site as a public record, it will not be modified or removed until the list expires, the list is exhausted, or the Commission must correct an error on the list.

If a current County probationary employee appears on an eligibility list for a classification that would be considered a promotion, and that employee is not eligible for promotion per the Cuyahoga County Personnel Policies and Procedures Manual, that employee will be temporarily removed from the eligibility list pending completion of the probationary period. Upon receipt of verification that the employee has successfully completed the probationary period, the employee will be reinstated to the eligibility list.

~~If a name has been already certified to an Appointing Authority per Rules 10.01 and 10.02, and sufficient justification is found to remove that name from the eligibility list, the name will be removed upon the next certification made to the Appointing Authority. However, the Commission will not certify a "replacement" name from the eligibility list to the Appointing Authority while the original group of certified names is still under consideration.~~

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If a candidate requests removal, and the request is based on illness, military service, or conflict with schooling, that candidate may be restored ~~to the eligibility list~~for consideration when that candidate indicates renewed availability for consideration if the eligibility list is still in effect per ~~Section~~Rule 9.02.

If a candidate's name is removed for any of the other reasons set forth in this Rule, the candidate may make a written request ~~for reconsideration~~ to the Commission for the restoration of his or her name to the eligibility list. Such request shall be made within five (5) calendar days of the date the notification of removal was electronically mailed and shall set forth why the removal was in error, stating the reasons that would justify restoration to the list, and providing evidence of the same. ~~A~~The request must be made using the Request for Eligibility List Restoration form, which is available on the Commission's website (http://prc.cuyahogacounty.us). Only requests made using the proper form and submitted by the deadline will be considered. Restoration to the

eligibility list is within the sole discretion of the Commission. Consideration of a candidate's request for ~~reconsideration~~restoration shall not be quasi-judicial and shall not result in a final order that entitles the candidate to an administrative appeal to the Commission.

[Reference Section 303.03(J) of the County Code]

9.06 Creation by Noncompetitive Examination

After the completion of the review as provided in Rule 8.10, an eligibility list shall be prepared including the names of all ~~candidates~~applicants, placed in alphabetical order, who met the minimum requirements as set forth in the examination announcement.

~~The Commission shall provide the Appointing Authority with the eligibility list and the application materials of the individuals on the list for interview and subsequent selection.~~

9.07 Sharing Eligibility Lists across Appointing Authorities

When an Appointing Authority desires to fill a vacancy in the classified service and there is no active eligibility list for that classification in that Appointing Authority, it may request use of an active eligibility list established for the same classification in a different Appointing Authority. This request must be made using the Request to Use a Pre-Existing Eligibility List form available on the Commission's website (<http://prc.cuyahogacounty.us>).

Upon receipt of such a request, the Commission, through its staff, shall review the positions in each Appointing Authority. If it is determined the positions have the same essential functions and require the same knowledge, skills, and abilities, the Commission may grant use of the original eligibility list to the requesting Appointing Authority. Once use of the eligibility list is granted to the requesting Appointing Authority in this way, the list shall be treated as any other eligibility list originally established for that Appointing Authority, including all requirements regarding expiration, exhaustion, and certification of names as outlined in these Rules.

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SECTION 10 CERTIFICATION

~~Permanent appointments to all positions in the classified service that are not filled by promotion, transfer, or reduction shall be made from those persons whose names are certified to the Appointing Authority in accordance with these Rules.~~

10.01 Certification Request

Upon establishing an eligibility list, the Commission, through its staff, shall certify names to the Appointing Authority to fill the next vacancy in the classification. -This certification is made to the Appointing Authority via the Department of Human Resources. -For each certification vacancy beyond the first, the Appointing Authority, through HR, shall submit a written request for certification to the Commission's staff unless all remaining names have already been certified.

~~When an Appointing Authority desires to fill a vacancy in any position in the classified service, the Appointing Authority shall submit a request to the Commission specifying the department, title of the position, grade, whether the service is temporary or permanent, and the anticipated date of the vacancy.~~

[Reference Section 303.03(K)(1) of the County Code]

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10.02 Number of Names to be Certified

When certifying names from an eligibility list established through competitive means, the Commission, through its staff, shall certify the names and rank of the top twenty-five percent (25%) or a minimum of ten (10) names, whichever is greater, of the candidates remaining on the eligibility list for the class to which the position is classified. When certifying names from an eligibility list established through noncompetitive means, the Commission, through its staff, shall certify all of the names remaining on the eligibility list for the class to which the position is classified.

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If a name has been certified to an Appointing Authority, and sufficient justification is found to remove that name from the eligibility list per Rule 9.05 before a conditional offer has been extended from that certification, the name will be removed and a replacement name will be certified to the Appointing Authority. The replacement name will be the highest-ranked name remaining on the eligibility list that was not already certified to the Appointing Authority.

When fewer than ten (10) names remain on the eligibility list at the time a certification is made, the Commission may certify fewer than ten (10) names and a new examination may be scheduled. If all names remaining on an eligibility list have been certified to an Appointing Authority and there is sufficient justification to remove any names per Rule 9.05 such that the number of remaining names is fewer than ten (10) before ~~the vacancy is filled~~ a conditional offer is extended, a new examination may also be scheduled.

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~~-Following such request from an Appointing Authority, the Commission, through its staff, shall certify the names, addresses, and rank of the top twenty-five percent (25%) or a~~

~~minimum of ten (10) names of the applicants on the eligibility list for the class or grade to which the position is classified.~~

~~When less than 10 names appear on an eligibility list, the Commission may certify less than ten (10) names and a new examination may be scheduled.~~

[Reference Section 303.03(K)(2) of the County Code]

10.03 Merging New Names into an Existing Eligibility List

When a new examination is scheduled due to fewer than ten names remaining on an active eligibility list, and the results of that examination are to be posted prior to the expiration of that list, the names of those persons who pass the new examination shall be merged with those who remain on the original list.

The same examination and passing score used to establish the original eligibility list shall be used for the new examination, and all candidates who pass either the original or new examination shall be placed on the eligibility list in rank order according to their examination scores. In the case of noncompetitive examinations, all candidates who met the minimum requirements of the classification during either the original or new announcement period shall appear on the eligibility list in alphabetical order. The Commission will then certify names per Rule 10.02.

Names appearing on the eligibility list are considered eligible for the duration of the original eligibility list on which they first appeared, as described in Rule 9.02. However, those names may be extended at the discretion of the Commission, as described in Rule 9.02.

~~Names appearing on the eligibility list are considered eligible for one (1) year after the date they first appeared on the eligibility list. However, those names appearing on the eligibility list may be extended, as described in Rule 9.02 of these Rules.~~

10.034 Certification Not More Than Three Times

A person certified from the same eligibility list three (3) times to the same Appointing Authority may be omitted from future certifications. A person is "certified," for purposes of this ~~Rule section~~, each time a conditional offer is extended ~~n appointment is made~~ from an established ~~certified~~ eligibility list containing that person's name.

[Reference Section 303.03(K)(3) of the County Code]

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SECTION 11

APPOINTMENTS

11.01 Original Appointments

A person who has been selected by an Appointing Authority from an ~~open-competitive~~ eligibility list, certified in accordance with Rules 9.01 and 10.01 to fill a vacancy in the classified service, is said to have received an original appointment. ~~Those persons receiving original appointments do not become permanent employees until they have satisfied the applicable probationary period.~~

[Reference Section 303.05(A) of the County Code]

11.02 Temporary Appointments

Temporary appointments shall not exceed one hundred eighty (180) days in duration and shall be filled in the following manner:

(1) Eligibility List

If an applicable eligibility list is available, the temporary appointment shall be offered to the candidates on the eligibility list, provided that the acceptance or declination of appointment to such position shall not affect the right of an eligible person to certification for appointment to a permanent position. ~~At the expiration of the temporary appointment, which in no case shall exceed one hundred eighty (180) days, the services of the temporary employee shall be terminated and the candidate shall be restored to the eligibility list in rank order.~~

(2) No Applicable Eligibility List

In the absence of an applicable eligibility list, the Appointing Authority may appoint a qualified person for a temporary period of service, not to exceed one hundred eighty (180) days in duration, when the need of service is urgent and necessary to prevent the loss of public property, serious inconvenience to the public, or damaging delay to the public service.

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In the event of a subsequent appointment to a permanent position, the temporary appointment shall not be counted as part of a probationary period.

Successive temporary appointments to the same position shall not be made under this Rule.

Temporary appointments made necessary by reason of sickness, disability, or other approved leave of absence ~~may exceed the 180-day limitation; however, the temporary~~

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[appointment](#) shall not continue beyond such period of sickness, disability, or other absence.

The ~~HR~~-Department [of Human Resources](#) shall provide the Commission with a monthly report identifying the previous month's temporary appointments, the date of the appointment, the date the appointment expires, the position, and department.

[Reference Section 303.05(B) of the County Code]

SECTION 12 EMPLOYMENT ACTIONS

12.01 Notice Requirements

Any action taken by an Appointing Authority, ~~the County Executive or the Director or its designee~~ (collectively referred to as "the Employer" for purposes of this Section) that creates a right of appeal for an employee shall be done in the following manner:

- In writing and signed by the ~~Appointing Authority~~ or designee;
- The original or a copy of the action shall be served upon the employee on, before or as soon as practicable after the effective date of the action;
- The document should, on its face, indicate the particulars that form the basis for the action; and
- The document should specifically describe the procedures required for the employee to exercise their appellate rights.

The notice document shall be "served upon the employee" when:

- ~~It is personally served upon the employee;~~
- [It is sent to the employee's County e-mail address, except in the case of removal;](#)
- It is received by the employee at the employee's last known address, by certified mail, return receipt requested; or
- It is left at the usual place of residence, or last known address of the affected employee, with an adult residing therein.

If the service by certified mail under this ~~Section~~[Rule](#) is returned with an endorsement showing the service was refused or unclaimed, then the notice ~~may~~[shall](#) be sent by ~~regular U.S. ordinary~~ mail, evidenced by a certificate of mailing (or employee affidavit). Such notice shall be deemed "served" on the third calendar day after the order is mailed.

An action will not be disaffirmed based upon failure of service where the employee has failed to notify the Employer of a change of address. -The burden is on the employee to prove the Employer was notified of a change in the employee's address.

12.02 Laches

Employees shall not be disciplined for acts that have been known or should have been known to the Employer more than two years prior to the effective date of the disciplinary action.

This rule does not bar discipline based upon a criminal conviction, less than two years old, although the incidents giving rise to such conviction occurred more than two years prior to the imposition of discipline.

12.03 Merger and Bar

All incidents that occurred prior to the incident for which a non-oral disciplinary action is being imposed, of which the Employer has knowledge and for which an employee could be disciplined, are merged into the non-oral discipline imposed by the Appointing Authority. -Incidents occurring after the incident for which a non-oral disciplinary action is being imposed, but prior to the issuance of the non-oral disciplinary order, are not merged and may form the basis for subsequent discipline.

12.04 Inquiries

In furtherance of the Commission's Charter mandated duty to ensure compliance with federal, state, and local employment laws, the Commission may conduct ~~an inquiry~~ an inquiry when, upon receipt of a written complaint or on its own motion, it has reason to believe that an individual is abusing the power of appointment, layoff, removal, reduction, suspension, or otherwise violating laws, rules, or ordinances that the Commission is charged with enforcing.

Inquiries shall be conducted by an exchange of correspondence, interviews, and/or requests for documents and information. -Unless a party can show good cause for its failure to respond to the Commission, decisions will be based on the information received within the response time allowed by the Commission. In the Commission's discretion, investigations may be set for hearing. Upon completion of the Inquiry, the Commission shall provide County Council with a report of its findings.

The inquiries shall not be quasi-judicial and shall not result in a final order that creates a right of administrative appeal to the Commission.

[Reference Section 303.06 of the County Code]

SECTION 13

APPELLATE PROCEDURE

13.01 Manner of Filing Appeals

All appeals to the Commission shall be made upon the PRC Appeal Form and include in writing and shall include the following information:

- The Employee's name;
- The Employee's address and telephone number;
- Employee's Department; and
- A copy of the action being appealed or a brief summary of the subject of the appeal.

Information regarding how to file an appeal, including blankinitial appeal forms, can be obtained on the PRC's website at http://PRCprc.cuyahogacounty.us. -Forms can also be obtained in person during regular business hours at the PRC offices.

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Field Code Changed

Completed Appeal Forms shall be filed with the Personnel Review Commission by mail, in person, by email (personnelreviewcommission@cuyahogacounty.us) or facsimile (216-443-3694).

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13.02 Time for Filing Appeals

All appeals (except Whistleblower appeals) shall be filed with the Commission within ten (10) calendar days of the date on which the employee was served with the action in question, by the end of the PRC business day at 4:30 p.m. The date the employee receives the notice is not counted as part of the 10 calendar days. -In the event the Personnel Review Commission Office is closed due to a holiday or weekend on the tenth 10th-calendar day, appeals received the following business day will be deemed filed timely. -Appeals filed after that date will not be considered.

Whistleblower appeals filed pursuant to the County's Ethics Policy shall be filed within thirty (30) calendar days after receiving actual notice of the alleged disciplinary or retaliatory action.

An appeal shall be deemed to be "filed" when one of the following occurs:

- The appeal is received in person and date stamped by the Commission;
- The appeal is postmarked; or
- The appeal is received by facsimile or e-mail (date of filing shall be the date marked on the appeal by the Commission's facsimile machine or e-mail system).

13.03 — Interim Appeals

~~The Commission retains jurisdiction over all applicable employment actions that were taken during the time period from January 1, 2011 through the effective date of these Rules. All employees who properly perfected appeals in accordance with the instruction provided by the Human Resources Department shall be considered to have met all of the filing requirements of this section. Employees who did not properly perfect appeals in accordance with the instruction provided by the Human Resources Department shall be deemed to have waived their right to appeal the underlying employment action.~~

13.034 Preliminary Jurisdictional Review

Upon receipt of an appeal, the Commission shall conduct a preliminary review to determine the following:

- Whether the appeal was properly perfected in accordance with these Rules; and
- Whether the Commission has jurisdiction to hear the appeal.

~~If the Commission's Administrator PRC Director determines that an appeal was not properly perfected or that the Commission lacks jurisdiction to hear the appeal, the Appellant will be notified in writing of the PRC Director's Administrator's determination. The Appellant may file written objections to the determination within fourteen (14) calendar days after the date on which the determination was mailed. The Appellant must also send a copy of the objections to the Appellee's legal representative (Law Department or the Prosecutor's Office) on the same date it is filed with the Commission. The Law Department or Prosecutor's Office shall have fourteen (14) calendar days from the date of filing receipt of the objections to file a written response to the objections.~~

~~At the first meeting following the expiration of the period for objection and response (if applicable), the Commission shall make a final determination of the jurisdictional issue at a public meeting following the expiration of the objection and response period. The Commission may accept jurisdiction over the appeal, dismiss the appeal, or assign the appeal to a hearing officer for a determination of the jurisdictional issue. If the Commission accepts jurisdiction, the appeal will proceed in accordance with these Rules.~~

13.045 Hearings

Discovery/Subpoenas

The Hearing Officer shall have discretion to set dates for the exchange of documents and both parties must agree to these dates, or the default procedure will require that at least fourteen (14) calendar days prior to the scheduled hearing, the parties shall provide the opposing party copies of the documents intended to be introduced at the hearing and a list of witnesses to be called by the party to testify at the hearing. If a party fails to comply with this requirement, the Hearing Officer has discretion to exclude

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such testimony or documents from the hearing. In all cases, the Hearing Officers should make every effort to ensure that the appeal record is fully developed.

Prior to the hearing, the parties may make requests to the Commission ~~(or through the Hearing Officer)~~ to issue procedural orders commanding the opposing party to disclose certain documentation and/or information.

Upon the request of either party made on or before the tenth –calendar day prior to hearing, the Hearing Officer or the Commission may, in its own discretion, issue subpoenas for such persons, documents, and attendance of witnesses as the requesting party deems necessary.

Parties are limited to five (5) subpoenas absent good cause. –Discovery depositions shall not be permitted.

Failure to Appear

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Upon failure of the Appellant to appear for the record hearing within at least 30 minutes of the scheduled hearing time, and on showing of proof of service of the notice of hearing, the Hearing Officer may recommend that the Commission ~~(or Hearing Officer)~~ ~~may~~ dismiss the appeal.

Upon failure of the Appellee to appear for the record hearing within at least 30 minutes of the scheduled hearing time, and on showing of proof of service of the notice of hearing, the Hearing Officer may recommend that the Commission ~~(or Hearing Officer)~~ ~~may~~ grant appropriate relief, including the disaffirmance of the employment action.

Burdens of Proof

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With regard to a disciplinary action, the Employer is required to prove by a preponderance of the evidence:

- ~~T~~that the Employer has substantially complied with the procedural requirements detailed in Section 612 of these Rules; and
- ~~T~~that the employee committed a sufficient disciplinary offense(s) to justify the discipline received.

With regard to an abolishment (classification or position), the Employer shall demonstrate by a preponderance of the evidence:

- that the Employer substantially complied with the procedural requirements associated with the abolishment; and
- that the abolishment was undertaken due to a lack of a continuing need for the position based on: a reorganization for the efficient operation of the Appointing Authority, reasons of economy, or a lack of work expected to last one year or longer. Certification of lack of funds or lack of work is not required for abolishments.

With regard to a layoff, the Employer shall demonstrate by a preponderance of the evidence:

- that the Employer substantially complied with the procedural requirements associated with the layoff; and
- that a layoff was undertaken due to a lack of work or lack of funds.

Abolishments (classification or position) and layoffs shall also be disaffirmed if the Commission determines that the action was taken in bad faith. –The Employee is required to prove the Employer’s bad faith by a preponderance of the evidence.

With regard to reclassifications and assignments to classifications:

When an appeal presents the issue of whether an employee is properly classified, or properly assigned to a classification, the Hearing Officer shall conduct a fact-finding hearing to determine the duties performed by the employee in the position at issue. Prior to the hearing, the parties should file with the Hearing Officer a designation of what classification each contends best matches the employee’s duties. –The Appellant can request a copy of the most recent audit of the employee’s position from Human Resources, and parties can access job descriptions or class specifications for the positions that each party has designated, and the class specifications for any adjacent classifications within the same classification series, through the ~~Human Resources’ department Commission’s~~ website. ~~If the Appellant does not have on-line access to these records, the Appellant may request the Human Resources department to provide hard copies of these records.~~

- If the employee’s position has not been audited within two years, or if either the employee or the Appointing Authority contends that the employee’s duties significantly changed since the last audit, the Hearing Officer may recommend to the PRC that the appeal be stayed pending completion of a new position audit.

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- In an evidentiary hearing concerning the proper classification of an employee, the witnesses should be limited to the audited employee, the employee’s immediate supervisor, and/or the designee of the authority who conducted the position audit. –In this type of evidentiary hearing the Hearing Officer might choose to conduct the primary examination of the witnesses, followed by limited examination by the parties.
- The Hearing Officer’s Report and Recommendation should compare the duties performed by the audited employee to the appropriate specifications and determine which classification most appropriately describes the duties performed by the employee. –It is not anticipated that evidence about whether other employees are properly classified would be relevant.

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With regard to whistleblower appeals, the employee shall demonstrate by a preponderance of the evidence that the disciplinary or retaliatory action was the result of the employee making a report under the Ethics Policy.

The standard of proof for all other appeals before the Commission shall be a preponderance of the evidence.

Determination of Unclassified Status

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When an employee has been adversely affected as an unclassified employee, the burden of proving the unclassified status of the employee is on the Appointing Authority. The Commission will take evidence of the employee's duties over a reasonable period of time, which is generally defined as one calendar year immediately prior to the adverse action, provided that the employee was in an active work status in the position at issue during that time period.

Official Record

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All hearings shall be recorded by the use of audio electronic recording devices. The audio record is the official record and shall be maintained ~~and~~ destroyed in accordance with the Commission's records retention schedule.

Post-Hearing Briefs

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The Hearing Officer or Commission, in its own discretion, may allow the parties to a hearing to submit post-hearing briefs. ~~A~~ reasonable briefing schedule shall be established by the Hearing Officer or Commission in such cases. ~~The~~ official record shall be held open in such cases until the time for submittal of the briefs has passed. Any brief submitted within this time period shall be included as part of the official record.

Reports and Recommendations

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After the official record has been closed, the Hearing Officer ~~or the Commission~~ will consider all evidence and submissions and issue a Report and Recommendation making findings of fact and conclusions of law. ~~The~~ Report and Recommendation shall be sent by electronic mail and regular mail to the last known post office address of the Appellant, and by electronic mail to the Appellant's and Appellee's legal representative.

Either party may file ~~with~~ written objections to the Report and Recommendation with the Commission within fourteen (14) calendar days after the date on which the Report and Recommendation was mailed. ~~For purposes of filing the objection, the~~ written objections must actually be received by the Commission within the fourteen (14) day period. ~~A~~ party filing ~~a~~ written objections must also serve a copy of the objections on the opposing party the same day the objections are filed with the Commission. ~~The~~ opposing party shall have fourteen (14) calendar days from the date the objections were filed receipt of the objections to file a written response to the objections. The response to objections must be actually received by the Commission within this fourteen (14) day period.

The ~~O~~ objections and ~~R~~ responses must be received by the Commission within the time periods set forth in the preceding paragraph and by the end of the PRC's business day at 4:30 p.m.

Prior to the due date of the objections or response to objections, whichever is the case, the parties may seek an extension. Motions for extension of time to object or respond to objections shall be submitted to the Commission at the address listed on the PRC's website, by email (personnelreviewcommission@cuyahogacounty.us), or facsimile (216-443-3694). ~~–The PRC Chairperson shall have the authority to rule on the parties' motions for extension of time to file Objections or Responses thereto. –The parties may request one extension of not more than seven (7) days. –Except for good cause shown, no further extensions will be granted.~~

Electronic Filing/Service

~~The parties may submit documents, including notices, motions, objections and responses along with any attachments/exhibits via the PRC's database which can be accessed through the PRC's website.~~

~~Parties will receive service of such filings at the electronic mail address on file with the PRC. If the opposing party does not have an electronic mail address listed on the notice of appeal or the notice of appearance, then the filing party is responsible for effectuating service via regular U.S. Mail.~~

~~The deadlines and requirements for filings with the PRC remain as set forth in these Rules.~~

13.056 Decisions of the Personnel Review Commission

~~At the first regular meeting of the Commission following the receipt of objections or responses, if applicable, –The Commission will, as a regular item of business, consider the a Report and Recommendation along with any properly filed objections and/or responses received in a timely manner at a public meeting.–~~

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~~At that time, tThe Commission may take the matter under advisement, vote to remand the matter back to the Hearing Officer, or vote to affirm, disaffirm, or modify the decision of the Appointing Authority, the Director of HR, or their designee.~~

~~At the point in time when the Commission acts upon a Report and Recommendation, it shall perform one of the following actions:~~

- ~~• Vote to affirm the Report and Recommendation as written;~~
- ~~• Vote to disaffirm the Report and Recommendation and submit a new decision;~~
- ~~• Vote to modify the Report and Recommendation;~~
- ~~• Vote to remand the matter back to the Hearing Officer to reopen the official record for additional evidence.~~

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All votes taken under this Section Rule shall be recorded in the minutes. ~~–The Commission shall notify the parties in writing of its decision. –The notification shall also inform the parties of their rights (if any) to appeal to the Court of Common Pleas.~~

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| **13.067** **Appeals to the Court of Common Pleas**

| The decision of the Personnel Review Commission shall be a final order, and may be
| appealed ~~by either the Appellant or by the County,~~ as provided by general law.

|



Thomas L. Colaluca, Commissioner
Deborah Southerington, Commissioner
Robert M. Wolff, Commissioner

February 27, 2017

Cuyahoga County President Dan Brady
Chairwoman Shontel Brown (Human Resources,
Appointments and Equity Committee)
Cuyahoga County Council

Dear President Brady and Chairwoman Brown,

Cuyahoga County Code Chapter 113.02 (I) reads, in part, as follows:

Notwithstanding any other provision of this Code, in lieu of submitting its rules to the Administrative Rules Board, the Administrative Rules of the Personnel Review Commission shall be submitted to the Council to ensure that a proposed rule is in accordance with the human resources policies established by this Code, as required by Charter § 9.02(4).

We are submitting the attached proposed Administrative Rule changes in compliance with the Code. These proposed changes were posted to the PRC's website for 20 days before the PRC took action to approve them on February 15, 2017. To assist you in your review, I have attached a summary of the proposed changes, a list of current County Code provisions that will need concurrent revisions, along with feedback presented by the County and our response to those comments.

If you have any questions regarding these proposed changes, please feel free to contact me.

Sincerely,

Rebecca Kopcienski, Director
Personnel Review Commission

Attachments (2)

cc: Vice-Chairperson Michael Gallagher, HR, A & E Committee
Councilwoman Yvonne Conwell, Member, HR, A & E Committee
Councilman Pernel Jones, Member, HR, A & E Committee
Councilman Dale Miller, Member, HR, A & E Committee
Councilman Anthony Hairston
Councilwoman Nan Baker
Councilwoman Sunny Simon

Councilman Scott Tuma
County Council Chief of Staff Joseph Nanni
County Council Clerk Jeanne Schmotzer
Law Director Robert Triozzi
PRC Chairwoman Debbie Southerington
PRC Commissioner Thomas Colaluca
PRC Commissioner Robert Wolff
Chief Talent Officer Douglas Dykes

KEY REVISIONS TO PRC ADMINISTRATIVE RULES

Rule 1.01 Definitions

Revision: Added definitions for testing operations and clarified some existing definitions.

Rule 2.03 Merit Principles

Revision: Add language to explain the principles the PRC has identified as necessary to administering and employment system based upon merit and fitness. These principles are nearly identical to the Federal Merit Principles.

Rationale: Transparency. The PRC wants to be transparent regarding the concepts that will guide its work.

Rule 3.01 Authority & 3.02 Jurisdiction

Revision: Separately identify the PRC's appellate jurisdiction.

Rationale: To clarify the PRC's appellate jurisdiction, at times the previous Rule (which combined authority & jurisdiction) created confusion for employees regarding the issues that can be appealed to the PRC.

Rule 3.06 Delegation of Certain Administrative Functions

Revision: Deleted former Rule 3.06.

Rationale: The division of these duties has been addressed in County Code or Charter making the Rule obsolete.

Rule 3.07 Ethics

Revision: Revised to include recent revisions to the County Code.

Rule 3.08 Compliance

Revision: To include the PRC's compliance operation in the Rules.

Rationale: Certain Charter and County Code provisions require the PRC to ensure the County's personnel practices comply with law. The Rule is intended to formalize how the PRC will satisfy this responsibility by submitting compliance reports to County Council.

Rule 5.01 Rule-Making/ Rule 6.04 Modifications to Class Plan

Revision: Revised to allow for a different process for approval revisions to the County's Classification Plan. Add language regarding Council's review of the PRC's Administrative Rules.

Rationale: To speed up the process of approving changes to the Class Plan to meet operational needs of the County and to include revisions to the County Code.

Rule 6.06 Civil Service Status Reports

Revision: To add language from the County Code.

Section 7

Revision: Clarify language.

Rule 8.02 Scheduling of Examination

Revision: Clarify when/how a candidate can request rescheduling of an examination.

Rationale: Formalize a practice in use by the PRC.

Rule 8.07 Military Credit

Revision: Change the credit from 5 points or 5% of the max score to 5% of the max score. Also allow a longer period of time to submit the request for military credit. Clarify the definition of who can receive the military credit.

Rationale: Different test formats have broad range of maximum scores. Policy makes effect of military service credit equivalent across all test formats.

Rule 8.11 Reexamination Policy

Revision: Added a provision to explain when a candidate will be allowed to retest for the same position.

Rationale: Implement a policy similar to the state policy.

Rule 9.05 Removal from Eligibility list

Revision: Clarify policy.

Rule 9.07 Sharing Eligibility Lists

Revision: Create policy for sharing of lists between appointing authorities.

Rationale: Formalize a practice in use by the PRC.

Section 10 Certification

Revision: Create/revise practices regarding how/when the PRC certifies names from the eligibility list to HR.

Rationale: Explain and formalize a practice in use by the PRC.

Section 13 Appellate Procedure

Revision: Clarify some procedures.

Rationale: Formalize a practice in use by the PRC.

OTHER NECESSARY LEGISLATIVE CHANGES

Some of the revisions to the PRC's Rules involve Rules that have corresponding provisions in the County Code. We have identified those Rule/Sections below.

Code Section	PRC Rule	Change
303.02	1.01 Definitions	Revise Code to match Rule
303.03(A)	3.05 Civil Service Testing	Correct typo
303.03(C)	7.03 Rejection of Applicants	Revise Code to match Rule
303.03(D)	8.05 Fraud	Revise Code to match Rule
303.03(E)	8.06 Method of Grading	Revise Code to match Rule
303.03(F)	8.07 Military Credit	Revise Code to match Rule
303.03(I)	9.03 Breaking Tie Grades	Revise Code to match Rule
303.03(J)	9.05 Removal From List	Revise Code to match Rule
303.03(K)	10.01 Certification Request	Revise Code to match Rule
303.03(K)	10.02 No. of Names Cert	Revise Code to match Rule
303.03(K)	10.03 Merging Lists	New Rule Add to Code
303.03(K)	10.04 Cert Three Times	Revise Code to match Rule
303.05(B)	11.02 Temp Appointments	Revise Code to match Rule
305.02	N/A	"HR" to "PRC"

Discussions with Human Resources

Section 113.02(I) of the County Code the PRC's Administrative Rules shall be submitted to Council **to ensure that a proposed rule is in accordance with the human resources policies established by the County Code.** This is a simple analysis to determine whether any of the PRC proposed rule revisions conflict with

existing Code provisions [as noted in the above chart, the PRC is requesting revisions to the County Code that coincide with the Rule revisions].

In the spirit of cooperation, the PRC offered the HR Department the opportunity to review the proposed Rules changes and to attend PRC meetings to discuss the proposed revisions. In fact, the PRC even delayed its vote on the proposed changes to allow HR and additional two weeks to review the revisions; meaning HR had 4 ½ weeks to review and comment on the PRC's Rules before the PRC voted to approve the revisions and forward them to Council. Members of the HR team and the law department were present at all three meetings where the PRC discussed the Rule revisions.

HR initially raised 19 concerns regarding the PRC's Rule revisions, none of which was a conflict with the Code. However, the PRC reviewed HR's concerns and agreed to modify certain revisions to address HR's concerns. Those modifications were:

- 1) The Merit Principles were moved to section 2.03 to address HR's concern that employees might view them as creating additional employment/appeal rights. We also added language to specify that no additional rights are conferred by the merit principles.
- 2) Deleted a phrase from Merit Principle #2 [“with proper regard for employee privacy and constitutional rights”] and modified a couple terms.
- 3) In Merit Principle #5 and 6 – changed the term “performance” to “conduct and capacity in office”.
- 4) Deleted Merit Principle #8 and 9 because HR believed they could be construed by employees to create rights in addition to the rights employees have under the Ethics Policy.

Following the first discussion, the HR team attended the PRC public meeting and indicated that HR would like to revisit 4 of their concerns. **It is important to note that none of HR's concerns involve the PRC Rules conflicting with an existing code provision.**

Merit Principles

HR's concern – HR would like the PRC to remove the Merit Principles from its Rules. HR is concerned that keeping the Merit Principles in the Rules “will end up forming the basis of legal arguments by employees and serve to inform interpretation of the Rules.”

PRC's response – The PRC moved the Merit Principles to the “General Provisions” section of its Rules (they were previously in the “Powers and Duties” section). There is language stating that the Principles are only intended to guide

the PRC's work and we added language stating that the Principles do not create any additional rights for employees. We believe this adequately addresses HR's concern.

Rule 3.06(1)

HR's concern – Charter section 9.02(2) which gives the PRC “Responsibility for administration of compliance with federal and state laws regarding personnel matters within the County Executive’s organization and departments” is “facially vague” without the language in Rule 3.06 (1) which the PRC is proposing be deleted.

PRC response - The PRC revision deletes the entire Rule titled “Delegation of Certain Administrative Functions” because the duties that were delegated in that Rule were either given to HR through the revision on the Ethic Policy in 2016 or are already in the Charter (See County Code section 407.03, Charter Section 9.06).

The language of 9.02(2) is not vague. The PRC understands its responsibilities under this section. The PRC has begun formalizing a compliance reporting plan whereby the PRC reviews the actions of the HR Department to determine whether those actions are in compliance with the law. Upon completion of the review, a report is prepared and submitted to Council. For example, Council has received the 2016 Ethics Compliance Report recently and will very soon be receiving the 2016 Appointments Report. The PRC is preparing an annual compliance report schedule which will list the compliance reports and the schedule for submission to Council.

In addition, several sections of the County Code provide examples of how the PRC intends to satisfy its Charter responsibility by reporting to Council, see Section 407.02(A) – Ethics and 303.01(D) – Pay determination audits. Also, the PRC Rules as they currently exist provide for such oversight see Rule 11.02 – Temporary Appointments and Rule 12.04 - Inquiries.

Rule 6.03

HR concern – language in the Rule might imply that the PRC is responsible for developing the Executive’s salary standard.

PRC response – we revised the language of concern (“County’s pay philosophy”) to “merit, fitness, and pay equity” to mirror the PRC’s Charter obligations.

FLSA

HR concern – HR is somehow linking their desire to make FLSA status determinations to a Rule about class plan modifications.

PRC response – Currently when a classification is revised or created the Archer Company makes an analysis and recommends a FLSA designation (and pay grade) for the classification. The designation is added to the classification specification which is then sent to HR for review prior to the PRC's and Council's review and approval.

This is clearly a dispute over who should be responsible for making the FLSA designation and has nothing to do with the PRC Rules. We have agreed to engage in further discussions with HR regarding the division of responsibility regarding the FLSA. This issue should not affect Council's approval of our Rules.

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0046

Sponsored by: Councilmember Simon	A Resolution making an award to College Now Greater Cleveland in the amount of \$500,000.00 from the Cuyahoga County Educational Assistance Fund for Component Two of the Cuyahoga County Educational Assistance Program for the period ending 6/30/2021; 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, Article III, Section 3.09(11) of the Charter authorizes Council to “establish and provide for the administration of a program to provide scholarships, loans, grants and other forms of financial assistance for residents of the County that will enable them to participate in post-secondary education, including vocational education and job training and retraining;” and

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

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

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

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

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

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

Clerk of Council

Date

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

Journal _____
_____, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0047

Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management	A Resolution amending the 2016/2017 Biennial Operating Budget for 2017 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, on December 28, 2016, the Cuyahoga County Council adopted the 2016/2017 Biennial Operating Budget and Capital Improvements Program Update for 2017 (Resolution No. R2016-0216) establishing the 2017 biennial budget update for all County departments, offices and agencies; and

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

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. 40M014 – Fairgrounds Wind Turbine Project	BA1700056
CC770909 – 20% County Wind Turbine Project	
Other Expenses	\$ (720,419.51)

To reduce appropriations in the County Fairgrounds Wind Turbine Project in preparation for closure. Over 87% of the project budget was expended. No residual cash exists in the project. The last transaction was in March 2013. Funding for this project was from the sale of Bonds and from the United States Department of Energy in 2011.

B. 40A069 – Capital Projects	BA1700058
CC768069 – Real Estate Consolidation – Professional Services	
Other Expenses	\$ (156,521.05)

To reduce appropriations in the Real Estate Consolidation – Professional Services Project in preparation for closure. Over 77% of the project budget was expended. No residual cash exists in the project. The last transaction was in March 2015. Funding for this project was from the sale of fixed assets.

C. 40A069 – Capital Projects	BA1700059
CC768085 – HPG Garage – Health & Safety Critical Repair	
Personal Services	\$ (64,833.58)
Other Expenses	\$ (7,219.85)
Capital Outlays	\$ (174,716.42)

To reduce appropriations in the HPG Garage Health & Safety Critical Repair Project in preparation for closure. Over 82% of the project budget was expended. No residual cash exists in the project. The last transaction was in July 2014. Funding for this project was from the sale of Bonds.

D. 40A069 – Capital Projects	BA1700061
CC767772 – Annex & Chicago Title Moves	
Personal Services	\$ (42,523.50)
Capital Outlays	\$ (202,279.99)

To reduce appropriations in the Annex & Chicago Title Project in preparation for closure. The last expenditure was in November 2011. Over 80% of the project budget was expended. Funding for this project was from other projects in December 2010.

E. 40A069 – Capital Projects	BA1700063
CC768093 – Juvenile PD Office Relocation	
Personal Services	\$ (21,151.17)
Other Expenses	\$ (27,251.73)
Capital Outlays	\$ (448,473.75)

To reduce appropriations in the Juvenile Public Defender (PD) Office Relocation Project in preparation for closure. The last expenditure was in October 2015 with over 66.1% of the original project costs was expended. Funding for this project was from bond proceeds.

F.	40S016 – Capital Projects	BA1700064
	CC770941 – Energy Conservation Measures – ARRA Funds	
	Other Expenses	\$ (17,409.60)

To reduce appropriations in the Energy Conservation Measures – ARRA Funds Project in preparation for closure. The last transaction was in September 2013 with over 99.4% of the original project costs was expended. Funding for this project was from the United States Department of Energy covering the period June 10, 2010 through September 30, 2013.

G.	40A069 – Capital Projects	BA1700065
	CC768853 – Justice Center Facilities Improvements	
	Other Expenses	\$ (10,918.00)

To reduce appropriations in the Justice Center Facilities Improvements Project in preparation for closure. The last expenditure transaction was in August 2014 with over 99.1% of the original project costs was expended. Funding for this project was from the Justice Center Study Sales Tax Revenues in December 2014.

H.	40A069 – Capital Projects	BA1700066
	CC770958 – Energy Conservation Measures – Future Debt	
	Other Expenses	\$ (3,874.00)

To reduce appropriations in the Energy Conservation Measures – Future Debt Project in preparation for closure. Over 99% of the project budget was expended. No residual cash exists in the project. Funding for this project was from the sale of bonds.

I.	40A069 – Capital Projects	BA1700068
	CC768234 – Interim Headquarters	
	Personal Services	\$ (207,730.54)
	Other Expenses	\$ (324,521.72)
	Capital Outlays	\$ (38.99)

To reduce appropriations in the Interim Headquarters Project in preparation for closure. The last expenditure transaction was in January 2016 with over 67% of the project budget was expended. No residual cash exists in the project. Funding for this project was the General Fund.

J.	40A069 – Capital Projects	BA1700070
	CC767699 – Juvenile Justice Complex Phase II	
	Personal Services	\$ (34,311.87)
	Other Expenses	\$ (141,056.99)
	Capital Outlays	\$ (1,847,321.44)

To reduce appropriations in the Juvenile Justice Complex Phase II Project in preparation for closure. The last expenditure transaction was in February 2013 with over 96% of the project budget was expended. No residual cash exists in the project. Funding for this project was from bond proceeds in December 2012.

K.	40A071 – Judicial Information System		BA1700071
	CC762096 – Clerk of Courts Automation Project		
	Other Expenses	\$	(44,139.62)
	Capital Outlays	\$	(4,233.52)

To reduce appropriations in the Clerk of Courts Automation Project in preparation for closure. The last expenditure transaction was in January 2007 with over 99.4% of the project budget was expended. No residual cash exists in the project. Funding for this project was from revenue transfers from the Judicial Information System Project Management Fund.

L.	21A180 – The S.P.A.R.K Project		BA1706073
	EC720995 – The S.P.A.R.K Project		
	Other Expenses	\$	80,000.00

To fully appropriate the Shaker Heights Board of Education/City School District grant award for the S.P.A.R.K. Program for the period September 1, 2016 to August 31, 2017.

M.	21A176 – Treatment Capacity Expansion		BA1713635
	CO759225 – Treatment Capacity Expansion FY2017		
	Personal Services	\$	168,104.00

The Common Pleas Court is requesting an appropriation increase of \$168,104.00 for the purposes of an initial request for appropriation to a new grant index code for TASC Treatment Capacity Expansion FY2017. Funding is provided through the ADAMHS Board with no cash match for the period of January 1, 2017 through December 31, 2017.

N.	21A180 – The S.P.A.R.K. Project		BA1706074
	EC720995 – The S.P.A.R.K. Project		
	Other Expenses	\$	15,000.00

To fully appropriate the Third Federal Foundation grant for the S.P.A.R.K. Project- Broadway P-16 from January 1, 2017 through December 31, 2017.

O.	21A310 – County Council – Veterans Services Fund		BA1713637
	CO759241 – Veterans Treatment Crt 2016-VSF		
	Personal Services	\$	15,000.00
	Other Expenses	\$	12,797.39

Common Pleas Court is requesting an appropriation increase of \$27,797.39. The request is necessary to set up the appropriations for the Cuyahoga County Court of Common Pleas Veterans Treatment Court index code. Funding is provided through the Veterans Service Fund through Resolution R2015-0124 for the period January 1, 2016 through December 31, 2017.

P.	22A105 – HUD Section 108		BA1713638
	DV711606 – HUD Section 108		
	Other Expenses	\$	59,571.65

The Department of Development is requesting an appropriation increase for \$59,571.65. Cash was moved into this account on January 18, 2017 (JE1700062-19); Development is asking for appropriations to be increased to match debt service expenditures paid. Funding is provided

through the U.S. Department of Urban Development for the period June 1, 1998 through December 31, 9999.

Q. 01A001 – General Fund			BA1701514
SH350272 – Law Enforcement - Sheriff			
Personal Services	\$	13,939.00	
Other Expenses	\$	85,239.00	

The Sheriff's Department is requesting additional appropriation to correspond with the appropriation the department is receiving through the FY15 Port Security Grant through an Interagency Agreement (AG1600009) from the Department of Public Safety and Justice Services. The funding period is September 1, 2015 through August 31, 2018. Funding comes from the Department of Homeland Security through the Federal Emergency Management Association through Cuyahoga County's Department of Public Safety and Justice Services.

R. 40A069 – Capital Projects			BA1707589
CC767285 – Airfield Pavement Rehab - Consulting			
Capital Outlays	\$	(797,909.22)	

An appropriation reduction is requested in is the Airfield Pavement Rehab - Consulting project to revise downward the appropriation increase on the February 28, 2017 agenda. The increase on the agenda was for \$1,341,786 and only \$543,876.78 is needed. Therefore the reduction is for \$797,909.22 is requested here. Funding for the Airfield Pavement Rehab – Consulting Project comes 10% from the General Fund and 90% from the FAA.

S. 20A308 – CPC – Cuyahoga Valley Init.			BA1703075
CP522540 – Cnty Plan Comm – Cuyahoga Valley Init.			
Other Expenses	\$	159,266.34	

The appropriation request would use unspent funds from the Cuyahoga Valley Initiative program. The funds are the balance of the \$375,000 provided by the County Board of Commissioners in 2001 for the Cuyahoga Valley Initiative. The appropriation would allow the transfer of these unspent funds to another project. The Planning Commission received a grant through NOACA to partially fund a Greenway project. The cash transfer to the Greenway project would allow the County to supplement the NOACA funds and outside pledges so that it could complete the entire project (Westside and Southside). The cash balance in this fund as of 2/28/2017 is \$159,266.34. The cash transfer and appropriation request to the Greenway project are on the same fiscal agenda in documents JT1703076 and BA1703077, respectively.

T. 21A128 – TLCI – Transport for Livable Communities			BA1703077
CP759233 – Cuyahoga County Greenway TLCI			
Other Expenses	\$	177,266.34	

The appropriation request would provide the County funding for a portion of the County Greenway Project. This would supplement Federal Transportation for Livable Communities (TLCI) funding awarded from the Ohio Department of Transportation through Northeast Ohio Areawide Coordinating Agency (NOACA), which is not included in this appropriation request. Together, the present appropriation request and the \$125,000 TLCI funds would be used to develop comprehensive plans for a southside and westside Greenway project. The funds in this appropriation request derive from two main sources: 1) \$159,266.34 – unused funds from 2001 Cuyahoga Valley Initiative to be transferred on this same fiscal agenda (documents BA1703075

and JT1703076), and 2) pledges from outside nonprofits and local governments for this project totaling \$18,000.

U.	20D449 – Property Demolition Fund		BA1713639
	DV520809 – Property Demolition Fund		
	Other Expenses	\$	170,000.00

The Office of Budget and Management (via Department of Development) is requesting an appropriation increase for \$170,000.00 in the Property Demolition Fund. This increase will allow for contracts pertaining to the re-certification for Shaker Heights (AG1600040-01 and BOC#2016-70) to fully post. Current cash balance in the Property Demolition Fund is \$26.3 million.

V.	24A510 – Work & Training Admin		BA1706075
	WT137315 – Work First Services		
	Personal Services	\$	1,222,907.15

To fully appropriate for the new Workforce Development Initiative positions.

W.	21A721 – Youth Services Subsidy 95-96		BA1703058
	JC742932 – Sheltercare 95-96		
	Other Expenses	\$	25,294.61
	21A721 – Youth Services Subsidy 95-96		
	JC742999 – Volunteer Services 95-96		
	Personal Services	\$	574.73
	21A721 – Youth Services Subsidy 95-96		
	JC743005 – Grant Administration 95-96		
	Other Expenses	\$	1,800.00
	21A721 – Youth Services Subsidy 95-96		
	JC743013 – Day Reporting 95-96		
	Personal Services	\$	3,579.75
	Other Expenses	\$	6,292.23
	21A726 – Youth Services Subsidy 1996-97		
	JC743021 – Youth Services Various		
	Other Expenses	\$	48,274.83

This appropriation request is part of the process to close out expired grants for the Juvenile Court. The appropriation requests would eliminate negative budgets in expired grants. The grants were provided from the Ohio Department of Youth Services for state fiscal years 1995 through 1997. The index code creation dates are listed in the budget adjustment form. There is no cash remaining in any of the grant funds.

X.	21A275 – Youth Services Subsidy – FDCC 2010/2011		BA1703059
	JC752303 – Program Admin FY10-000		
	Personal Services	\$	(76,849.23)
	Other Expenses	\$	(68,910.79)

21A275 – Youth Services Subsidy – FDCC 2010/2011
 JC752311 – Probation FY10-102

Personal Services	\$	(16,642.44)
Other Expenses	\$	(1,523.50)

21A275 – Youth Services Subsidy – FDCC 2010/2011
 JC752329 – Day Treatment FY10-104

Personal Services	\$	(31,492.74)
Other Expenses	\$	(6,873.05)

This appropriation request is part of the process to close out expired grants for the Juvenile Court. The requests would remove appropriations from expired grants in preparation for final close-out. There is no cash remaining in any of the above grants. The grant funds were from the Ohio Department of Youth Services for a grant period that expired June 30, 2012.

Y. 21A259 – ODYS Stepdown **BA1703060**

JC757799 – ODYS Stepdown

Other Expenses	\$	(21,740.11)
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21A275 – Youth Services Subsidy – FDCC 2010/2011
 JC752337 – Resident. Trmmt FY10-105

Other Expenses	\$	(1,000.00)
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21A275 – Youth Services Subsidy – FDCC 2010/2011
 JC752345 – Mental Health FY10-111

Personal Services	\$	(91,971.53)
Other Expenses	\$	(4,396.02)

21A275 – Youth Services Subsidy – FDCC 2010/2011
 JC752352 – Rest./Comm. Srv FY10-117

Personal Services	\$	(3,912.74)
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21A275 – Youth Services Subsidy – FDCC 2010/2011
 JC752360 – Monit./Surv. FY10-201

Personal Services	\$	(173,693.44)
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21A275 – Youth Services Subsidy – FDCC 2010/2011
 JC752378 – Sheltercare FY10-202

Personal Services	\$	(16,350.80)
Other Expenses	\$	(191,236.91)

21A275 – Youth Services Subsidy – FDCC 2010/2011
 JC752386 – DMC FY10-301

Other Expenses	\$	(8,226.68)
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This appropriation request is part of the process to close out expired grants for the Juvenile Court. The requests would remove appropriations from expired grants in preparation for final close-out. There is no cash remaining in any of the above grants. The grant funds were from the Ohio Department of Youth Services for a grant period that expired June 30, 2011.

Z.	21A275 – Youth Services Subsidy – FDCC 2010/2011		BA1703061
	JC752394 – Target RO Mental Health FY10-111		
	Other Expenses	\$	(660,077.81)
	21A389 – Youth Services Subsidy - FDCC		
	JC752717 – Program Admin FY11-000		
	Personal Services	\$	(158,526.62)
	Other Expenses	\$	(19,075.00)
	21A389 – Youth Services Subsidy - FDCC		
	JC752725 – Probation FY11-102		
	Personal Services	\$	(132,244.36)
	21A389 – Youth Services Subsidy - FDCC		
	JC752733 – Mental Health FY11-111		
	Personal Services	\$	(49,969.63)
	21A389 – Youth Services Subsidy - FDCC		
	JC752741 – Rest./Comm. Srv FY11-117		
	Personal Services	\$	(3,477.85)
	21A389 – Youth Services Subsidy - FDCC		
	JC752758 – Monit./Surv. FY11-201		
	Personal Services	\$	(11,774.77)

This appropriation request is part of the process to close out expired grants for the Juvenile Court. The requests would remove appropriations from expired grants in preparation for final close-out. There is no cash remaining in any of the above grants. The grant funds were from the Ohio Department of Youth Services for a grant period that expired June 30, 2011.

AA.	21A389 – Youth Services Subsidy – FDCC		BA1703062
	JC752782 – Targeted Reclaim FY11-T111		
	Other Expenses	\$	(258,716.85)
	21A655 – Enhanced Mental Health Svc at JDC		
	JC757716 – 07/08 Enhanced MH Svc at Juv Det Center		
	Other Expenses	\$	(28,325.00)
	21A721 – Youth Services Subsidy 95-96		
	JC742890 – Youth Services Subsidy		
	Personal Services	\$	(4,154.48)
	Other Expenses	\$	(33,386.84)
	21A726 – Youth Services Subsidy 1996-97		
	JC743021 – Youth Services Various		
	Personal Services	\$	(13,977.83)
	Other Expenses	\$	(10,666.29)

This appropriation request is part of the process to close out expired grants for the Juvenile Court. The requests would remove appropriations from expired grants in preparation for final close-out. There is no cash remaining in any of the above grant accounts. The grant funds were

from the Ohio Department of Youth Services for a grant period that expired June 30, 1997, with the exception of JC752782 which expired June 30, 2011.

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

Fund Nos./Budget Accounts **Journal Nos.**

A. FROM: 40A069 – Capital Projects		BA1707587
CC768622 – 2015 Airport Runway Overlay – Phase 1		
Personal Services	\$ 192,250.00	
Capital Outlays	\$ 133,585.00	
TO: 40A069 – Capital Projects		
CC768622 – 2015 Airport Runway Overlay – Phase 1		
Other Expenses	\$ 325,835.00	

An appropriation transfer is requested from salaries and capital to contracts to enable the transfer of consulting expenses from CC767285 (Airport Consulting) to the 2015 Airport Runway Phase 1 Project so that the consulting expenses can be reimbursed with Federal dollars. Funding for the 2015 Airport Runway Phase 1 project comes 10% from the General Fund and 90% from the FAA.

B. FROM: 01A001 – General Fund		BA1713636
VS490052 – Veterans Service Commission		
Other Expenses	\$ 13,800.00	
TO: 01A001 – General Fund		
VS490052 – Veterans Service Commission		
Capital Outlays	\$ 13,800.00	

The Office of Budget and Management (on behalf of the Veterans Service Commission) is requesting an appropriation transfer from client services to capital of \$13,800.00 to provide necessary appropriations to cover future capital purchases by the Veterans Service Commission. Funding is from the General Fund.

C. FROM: 40A069 – Capital Projects		BA1700077
CC767566 – Airport DOD Rehab Taxiway A 2007		
Capital Outlays	\$ (188,400.00)	
FROM: 40A069 – Capital Projects		
CC767707 – 2009 FAA Rehab Taxiway C		
Capital Outlays	\$ (345,896.69)	
FROM: 40A069 – Capital Projects		
CC767715 – 2009 ODOT Rehab Taxiway C03		
Capital Outlays	\$ (3,132.63)	

TO: 40A069 – Capital Projects
 CC767558 – Airport – FAA Rehab Taxiway A, A1, A2
 Capital Outlays \$ 89,347.54

TO: 40A069 – Capital Projects
 CC767285 – Airfield Pavement Rehab - Consulting
 Capital Outlays \$ 448,081.78

The appropriation transfer is to prepare the entire project to close which comprise seven separate accounts that project that project is 100% expended. Funding was from the issue of bonds in 2012.

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

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM: 40A069 – Capital Projects	JT1700073
CC768390 – JC Perimeter Security, Keying & ADA Parking	
Transfer Out \$	50.00
TO: 40A069 – Capital Projects	
CC767699 – Juvenile Justice Complex Phase II	
Revenue Transfer \$	50.00

An operating (cash) transfer is requested from the Justice Center Perimeter Security, Keying & ADA Parking capital project to the Juvenile Justice Center Complex Phase II Project to correct document JR1707556 (R2017-0021) which inadvertently transferred an additional \$50.00 creating a negative cash balance in the Juvenile Justice Center Complex II Project that is targeted for closure. This transfer will restore the cash. There is no impact on the General Fund.

B. FROM: 01A001 – General Fund	JT1701503
SH350272 – Law Enforcement - Sheriff	
Transfer Out \$	24,794.00
TO: 21A762 – Port Security Grant	
JA768747 – Port Security Grant FFY15-2015/2018	
Revenue Transfer \$	24,794.00

A transfer from the General fund on behalf of the Sheriff’s Department to the FY15 Port Security Grant. Public Safety and Justice Services is the fiduciary manager of the grant, as only one application per jurisdiction is allowed. The source of funding comes from a one-time use of General Fund dollars for the Sheriff’s cash match for the grant in order to receive back through the inter-agency agreement with Public Safety and Justice Services.

C. FROM: 20A308 – CPC - Cuyahoga Valley Init.	JT1703076
CP522540 – Cnty Plan Comm – Cuyahoga Valley Init.	
Transfer Out \$	159,266.34

TO: 21A128 – TLCI – Transport for Livable Communities
 CP759233 – Cuyahoga County Greenway TLCI
 Revenue Transfer \$ 159,266.34

The request would transfer unspent funds from the Cuyahoga Valley Initiative Program. The funds are the balance of the \$375,000 provided by the County Board of Commissioners in 2001 for the Cuyahoga Valley Initiative. The transfer of cash would be used by the Planning Commission to supplement a federal TLCI grant through NOACA for a Cuyahoga County Greenway study project. The use of these funds and outside pledges (totaling \$18,000 as of 2/24/2017) would allow the Planning Commission to complete the planning for the Cuyahoga County Greenway study (Westside and Southside) together in a coordinated plan. The cash balance in Cuyahoga Valley Initiative (20A-308) fund as of 2/28/2017 is \$159,266.34. The appropriation requests in the Cuyahoga Valley Initiative index code and Greenway project are on the same fiscal agenda in documents BA1703075 and BA1703077, respectively.

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

Deputy Clerk of Council

Date

Journal CC025
March 14, 2017



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: March 7, 2017
 RE: Fiscal Agenda – 3-14-2017 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 **March 14, 2017**. The requested fiscal items, including additional appropriations, appropriation transfers, and cash transfers, are necessary to cover expenses.

This agenda includes appropriation reductions totaling more than \$7 million to properly close old capital projects in the Department of Public Works and grants in Juvenile Court. There will be additional grant close-outs in Juvenile Court’s budget on a later agenda.

Appropriation increases are requested for Job and Family Services to support the new staff hired for the SkillUp program, a workforce development initiative in the Department of Health and Human Services. This appropriation is supported by a cash balance in the combined Public Assistance Funds. The 2016-2017 budget anticipated a \$3 million draw-down on these balances in each year. No expenses were incurred in 2016.

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

Additional Appropriation Summary – Additional appropriation is requested when to cover expenditures that exceeds the original estimate and must be supported by a revenue source. A reduction in appropriation is requested in conjunction with the close-out of a program, grant, or decertification of an encumbrance.

Department	Amount Requested	Funding Source
Common Pleas Court	\$168,104.00	Grant – General Fund Impact
Common Pleas Court	\$27,797.39	Special Revenue – No General/HHS Levy Fund Impact
Development	\$59,571.65	Grant – No General/HHS Levy Fund Impact
Development	\$170,000.00	Special Revenue – General Fund Impact
HHS/Office of Early Childhood	\$95,000.00	Grant – No General/HHS Levy Fund Impact
HHS/Job & Family Services	\$1,222,907.15	Special Revenue – HHS Levy Fund Impact
Juvenile Court	(\$2,013,377.16)	Grant – No General/HHS Levy Fund Impact
Sheriff’s Office	\$99,178.00	General Fund
Planning Commission	\$336,532.68	Special Revenue – No General/HHS Levy Fund Impact
Public Works/Capital Projects	(\$5,298,856.06)	Special Revenue – No General/HHS Levy Fund Impact
TOTAL	(\$5,133,142.35)	

Appropriation Transfer Summary – Transfers between budget accounts in the same fund or between different resolution categories within the same budget account.

Department	Amount Transferred	Funding Source
Public Works/Capital Projects	\$863,264.32	Special Revenue
Veterans Services Commission	\$13,800.00	General Fund
TOTAL	\$340,260.29	

Cash Transfer Summary – Operating transfers support operating expenditures transfer cash from one fund to another. Transfers post as an expenditure and sufficient appropriation must be available to process the transaction.

Department	Amount Transferred	Funding Source
Planning Commission	\$159,266.34	Special Revenue – No General/HHS Levy Fund Impact
Public Works/Capital Projects	\$50.00	Special Revenue – No General/HHS Levy Fund Impact
Sheriff's Office	\$24,794.00	Grant – General Fund Impact
Veterans Services/Common Pleas	\$27,797.39	Special Revenue – General Fund
TOTAL	\$184,110.34	

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0048

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing a revenue generating agreement with T & G Flying Club, Inc. in the amount not-to-exceed \$75,984.00 for lease of office space and aircraft tie-down fees located at the Cuyahoga County Airport Safety Building, Area B Suites G-L, 26300 Curtiss Wright Parkway, Highland Heights, for the period 1/1/2017 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works recommends a revenue generating agreement with T & G Flying Club, Inc. in the amount not-to-exceed \$75,984.00 for lease of office space and aircraft tie-down fees located at the Cuyahoga County Airport Safety Building, Area B Suites G-L, 26300 Curtiss Wright Parkway, Highland Heights, for the period 1/1/2017 - 12/31/2019; and

WHEREAS, this project is for lease of office space and aircraft tie-down fees at the Cuyahoga County Airport; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a revenue generating agreement with T & G Flying Club, Inc. in the amount not-to-exceed \$75,984.00 for lease of office space and aircraft tie-down fees located at the Cuyahoga County Airport Safety Building, Area B Suites G-L, 26300 Curtiss Wright Parkway, Highland Heights, for the period 1/1/2017 - 12/31/2019.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20____

Item No. 1

Public Works submitting a Revenue Generating Lease with T & G Flying Club, Inc. for a lease of 1284 square feet of office space, at the Cuyahoga County Airport Safety Building, Area B Suites "G-L" located at 26300 Curtiss Wright Parkway, Richmond Heights, Ohio 44143 and aircraft tie-down fee commencing on January 1, 2017 and ending December 31, 2019. Additional Revenue in the amount of \$ 41,328.00 year one, \$17,328.00 year, two and year three \$17,328.00 for a total amount not to exceed \$75,984.00.

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0049

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/31/2017 to change the scope of services and the terms, effective 3/28/2017, and to establish a guaranteed maximum price in the amount not-to-exceed \$25,211,693.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works recommended an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/31/2017 to change the scope of services and the terms, effective 3/28/2017, and to establish a guaranteed maximum price in the amount not-to-exceed \$25,211,693.00; and

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

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

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

WHEREAS, Resolution No. R2016-0197 was approved by Council on November 15, 2016 to change the scope of services and the terms, effective November 16, 2016, to extend the time period to December 31, 2017 and to establish a guaranteed maximum price in the amount not-to-exceed \$22,711,693.00; and

WHEREAS, the primary goal of this amendment is to change the scope of services and the terms, effective March 28, 2017, in order to address the changed site conditions of additional Priority 1 and Priority 2 structurally significant and safety related concrete repairs to the Huntington Park Garage; and

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

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1500375-01 with Turner/Ozanne Joint Venture for design-builder services for the Huntington Park Garage Rehabilitation Project for the period 12/7/2015 - 12/31/2017 to change the scope of services and the terms, effective 3/28/2017, and to establish a guaranteed maximum price in the amount not-to-exceed \$25,211,693.00 and authorizes the County Executive to enter into said amendment. To the extent that any exemptions, if any, are necessary under the County Code and contracting procedures, they shall be deemed approved by the adoption of this Resolution. The final negotiated terms of this contract, including maximum not-to-exceed amount and risk management protections, shall be subject to the approval of the Director of Law, but in no event shall the maximum amount exceed the herein authorized \$25,211,693.00.

SECTION 2. That the County Executive is hereby authorized to execute the amendment and all other documents, as approved to legal form and correctness, by the Director of Law, or his designee, in accordance with this Resolution.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2017

Item No. 2

A. Scope of Work Summary

1. Department of Public Works requesting approval of a contract amendment with Turner-Ozanne A Joint Venture for the not-to-exceed amount of \$2,500,000. The start date of the amendment is March 28, 2017 and end date is March 3, 2018.
2. The primary goal of the project is to rehabilitate the Huntington Park Garage. The amendment is to address the changed site conditions of additional Priority 1 and Priority 2 structurally significant and safety related concrete repairs to the Huntington Park Garage.
3. N/A.

B. Procurement:

1. The procurement method for this project was an RFQ (RQ35765). The total value of the RFP is anticipated to be \$25,211,693.
2. The RFP was closed on November 30, 2015. The SBE goal was 25% consistent with the Convention Center and Hotel projects.
3. There were 2 proposals submitted for review and 1 proposal approved.

C. Contractor and Project Information

1. The address is:
Turner-Ozanne A Joint Venture
1422 Euclid Avenue, Suite 1400
Cleveland, Ohio 44115
Council District 7
2. The Vice President and General Manager of Turner Construction is Jason M. Jones. The President of Ozanne Construction Company is Dominic Ozanne.

3a. The location of the project is Huntington Park Garage.

3b. The project is in Council District 7.

D. Project Status & Planning

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

E. Funding

1. The previous (as of Amendment 3) project total was 94% by the General Fund and 6% by the Hotel Fund. This amendment will be funded 100% from the Garage Maintenance Fund.
2. The schedule of payments is monthly by invoice.
3. This is an amendment to the contract. This changes the value and term of the contract and is the fourth amendment to the contract.

The original contract was approved by BC2015-944 on December 7, 2015 in the amount of \$500,000.00.

Amendment 1 was approved by Council under R2015-0274 on January 12, 2016 bringing the contract total to \$4,500,000.

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

Amendment 3 was approved by Council under R2016-0197 on November 15, 2016 bringing the contract total to \$22,711,693.

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0050

Sponsored by: County Executive Budish/Department of Human Resources	A Resolution making an award on RQ36488 to Viverae, Inc. in the amount not-to-exceed \$606,950.00 for the Wellness Program for County employees for the period 4/1/2017 - 3/31/2020; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Human Resources recommended an award on RQ36488 to Viverae, Inc. in the amount not-to-exceed \$606,950.00 for the Wellness Program for County employees for the period 4/1/2017 - 3/31/2020; and

WHEREAS, the primary goal of this project is to provide a Wellness Program Platform for Cuyahoga County employees and measurably improve overall employee wellness; and

WHEREAS, this project is funded 100% from the Self Insurance Fund – Wellness; 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 RQ36488 to Viverae, Inc. in the amount not-to-exceed \$606,950.00 for the Wellness Program for County employees for the period 4/1/2017 - 3/31/2020.

SECTION 2. That the County Executive is hereby 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,

Item No. 6

A. Scope of Work Summary

1. The Department of requesting approval of a contract with Viverae, Inc. for the anticipated cost not-to-exceed \$606,950.00. The anticipated start-completion dates are 04/01/2017 – 3/31/2020.
2. The primary goal is to provide a Wellness Program Platform for Cuyahoga County employees and measurably improve overall employee wellness.

B. Procurement

1. The procurement method for this project was RFP. The total value of the RFP is not-to-exceed \$606,950.00.
2. The RFP was closed on March 2, 2016.
3. There were sixteen proposals submitted for review, and one proposal approved.

C. Contractor and Project Information

1. The address of the vendor is:
Viverae, Inc.
10670 North Central Expressway, Suite 700
Dallas TX 75231
Council District NA
2. The President and CEO is Michael K. Lamb

D. Project Status and Planning

1. The is a new vendor to the County

E. Funding

1. This is funded 100% by the Self Insurance Fund - Wellness.
2. The schedule of payments is by invoice.

Date sent to Dept: 3/24/16 (10)
 Date Received from Dept: _____
 (OPD Use Only)



CUYAHOGA COUNTY TABULATION OF PROPOSALS RECEIVED

DEPARTMENT NAME: Human Resources

PROPOSAL DUE DATE: March 17, 2016

Number of Proposals Sent/Returned: 40/14

RFP TITLE: Wellness Programming Platform

RFP #: 36488

SBE: 0%

TO BE COMPLETED BY OPD	TO BE COMPLETED BY SBE CONTRACT COMPLIANCE OFFICER						USER DEPT.
VENDOR NAME & ADDRESS	IG / ETHICS REGISTRATION COMPLETE	SBE SUBCONTRACTOR NAME AMOUNT & PERCENTAGE	SBE PRIME %	TOTAL SBE %	COMPLY Y/N	COMMENTS & INITIALS	AWARD Y/N
Alyfe Well Being Strategies 171 Green Meadows Drive S. Lewis Center, OH 43035	IG# - NA PH - Yes NCA - OK MVCF - OK Coop - Yes (10)						No
Aquila 1221 Brickell Ave Suite 1060 Miami, FL 33131	IG# - NA PH - Yes NCA - OK MVCF - OK Coop - Yes (10)						No
Compsych 455 North City Front Plaza Drive Chicago, IL 60611	IG# - NA PH - Yes NCA - OK MVCF - OK Coop - Yes (10)						No
E4 Health Care 4 Richmond Square Suite 200 Providence, RI 02906	IG# - NA PH - Yes NCA - OK MVCF - OK Coop - Yes (10)	N/A 0%					No

<p>Healthyroads & American Specialty Health, Inc. 10221 Wateridge Circle San Diego, CA 92121</p>	<p>IG# - NA PH - Yes NCA - OK MVCF - NEED Coop - No</p>							NO
<p>Karelia Health 5 Forest Park Drive Farmington, CT 06032</p> <p>*NCA notary seal on original copy</p>	<p>IG# - NA PH - Yes NCA - OK* MVCF - OK Coop - Yes</p>							NO
<p>Limeade 10885 NE 4th Street Suite 400 Bellevue, WA 98004</p> <p>*Vendor not on Plan-holder list, obtained specs from BenefitFocus, which is on list.</p>	<p>IG# - NA PH - No* NCA - OK MVCF - OK Coop - Yes</p>							NO
<p>MetroHealth System 2500 MetroHealth Drive Cleveland, OH 44109</p>	<p>IG# - 12-1893 PH - Yes NCA - OK MVCF - OK Coop - Yes</p>							NO
<p>Onlife Health 9020 Overlook Blvd Suite 300 Brentwood, TN 37027</p>	<p>IG# - NA PH - Yes NCA - OK MVCF - NEED Coop - No</p>							NO
<p>Oswald Companies 1100 Superior Avenue Suite 1500 Cleveland, OH 44114</p> <p>*OPD review determined this proposal non-compliant based on multiple proposal submissions - reference page 12 of the RFP.</p>	<p>IG# - 16-0074 PH - Yes NCA - OK MVCF - OK Coop - Yes</p>							NO
<p>Provant Health 42 Ladd Street East Greenwich, RI 02818</p>	<p>IG# - NA PH - Yes NCA - OK MVCF - OK Coop - Yes</p>							NO
<p>Red Brick Health 9891 Montgomery Road #277 Cincinnati, OH 45242</p>	<p>IG# - 16-0056 PH - Yes NCA - OK MVCF - OK Coop - NA</p>							NO

N/A 0%

Viverae 10670 N. Central Expressway Suite 700 Dallas, TX 75231	IG# - NA PH - Yes NCA - OK MVCF - NEED Coop - Yes <input checked="" type="checkbox"/>					YES
Y.M.C.A. of Greater Cleveland 2200 Prospect Avenue Cleveland, OH 44115	IG# - 12-3033 PH - Yes NCA - OK MVCF - OK Coop - Yes <input checked="" type="checkbox"/>	N/A 0%				NO

Douglas Dykes
Department Director Name
Rfptab - Updated 10/15/2013

Douglas Dykes, 2/1/17
Department Director Signature of Approval Date

	Understanding (15)	Methodology (25)	Mgmt. (25)	Experience (25)	Subtotal	Price (10)	Total
Viverae	15	25	25	25	90	9	99
Redbrick Health	15	24	24	25	88	9	97
ComPsych	15	24	23	24	86	9	95
HealthFitness	15	23	23	23	84	10	94
MetroHealth	15	21	22	24	82	9	91
Onlife	15	23	19	23	80	9	89
Limeade	15	20	22	22	79	9	88
Asset Health	15	22	22	19	78	9	87
Envolve	15	19	21	22	77	9	86
Provant	15	19	19	23	76	9	85
Karelia Health LLC	15	19	19	22	75	9	84
HealthyRoads	15	19	19	21	74	9	83
Aquila	15	18	19	21	73	9	82
E4Health	15	18	18	21	72	9	81
Alyfe Wellbeing Strategies	15	18	18	21	72	9	81
YMCA	15	18	19	19	71	9	80



Principal Owner Form

(Required Document for Award Recommendations/Purchases/Contracts)

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

Company Name (Legal name of the business):	Viverae, Inc.
Principal Owner's Name (The legal name of the owner(s) of the business):	(*) Michael K. Lamb
Owner/Officer's Title:	President & CEO
Business Address:	10670 N. Central Expressway, Suite 700, Dallas, TX 75231
Phone Number:	214-827-4400
Name of Person Completing Form:	Robyne Gaudreau
Signature:	<i>Robyne Gaudreau</i>
Title:	COO & CFO

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

CUYAHOGA COUNTY STAFF:

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

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

Signature: *Pat Smock*

Date: 2-14-2017

Printed Name: PAT Smock

IG Number: 17-0019

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0051

Sponsored by: County Executive Budish on behalf of Cuyahoga County Board of Elections	A Resolution authorizing the County Executive, on behalf of the County, to endorse the Memorandum of Understanding among County of Cuyahoga, Cuyahoga County Board of Elections and Ohio Department of Administrative Services in connection with the use of funding for the purchase of electronic pollbooks and other necessary equipment; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive on behalf of Cuyahoga County Board of Elections has recommended authorization, on behalf of the County, to endorse the Memorandum of Understanding among County of Cuyahoga, Cuyahoga County Board of Elections and Ohio Department of Administrative Services in connection with the use of funding for the purchase of electronic pollbooks and other necessary equipment; and

WHEREAS, the goal of this project is to clarify the process of selecting, purchasing and funding electronic pollbooks and any other necessary equipment including software, hardware, license agreement, service or maintenance agreement or integration with the Board of Elections voter registration system that is essential for the implementation and operation of the electronic pollbooks; 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 the County Executive, on behalf of the County, to endorse the Memorandum of Understanding among the County of Cuyahoga, Cuyahoga County Board of Elections and Ohio Department of Administrative Services in connection with the use of funding for the purchase of electronic pollbooks and other necessary equipment.

SECTION 2. That the County Executive is authorized to execute the Memorandum of Understanding.

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

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

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

Yeas:

Nays:

County Council President	Date

County Executive	Date

Clerk of Council	Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
 _____, 20__



CUYAHOGA COUNTY BOARD OF ELECTIONS

Inajo Davis Chappell
Chairwoman

Jeff Hastings
Member

David J. Wondolowski
Member

Robert S. Frost
Member

Pat McDonald
Director

Anthony W. Perlatti
Deputy Director

Memorandum

To: Armond Budish, County Executive
Members of Cuyahoga County Council

Cc: Sharon Sobol-Jordan, Chief of Staff for the County Executive
Joseph Nanni, Chief of Staff for the County Council

From: Pat McDonald, Director **PM**

Date: February 23, 2017

Re: Memorandum of Understanding regarding Electronic Pollbooks

Below is a summary of a Memorandum of Understanding (MOU) with the Board of Elections, County of Cuyahoga, and the Ohio Department of Administrative Services (DAS) regarding electronic pollbooks that will be submitted for County Council's approval and the County Executive's signature at an upcoming Council Meeting.

As you may know, the State of Ohio set aside \$12.75 million in 2015 as reimbursement for counties to purchase electronic pollbooks. This funding was allocated based on the total number of registered voters in each county, which amounted to **\$1,462,417.99 for Cuyahoga County**, and was expected to cover approximately **85 percent** of the estimated purchase cost.

In order to receive our allocation of this state funding, the County must enter into the attached MOU with the Board of Elections and DAS. This MOU, which was prescribed by DAS, essentially sets out the manner in which electronic pollbooks are to be selected, purchased, and funded by each county. In summary:

1. **The board of elections selects the vendor and other necessary equipment via a state term contract** (DAS awarded a state term contract to all electronic pollbook vendors certified in the State of Ohio). After a 17-month vendor evaluation process, we have chosen Tenex Software Solutions as our vendor.
2. **The county is then responsible for providing the initial funding for the purchase, as well as for approving the purchase.** As you may recall, County Council appropriated \$2 million for this purchase at the Council Meeting on May 24, 2016. In the coming weeks, we will submit the contract with Tenex Software Solutions for your approval, and provide you more info on why we chose this vendor and the benefits it will offer to voters in Cuyahoga County.
3. **After the purchase is made, the board of elections can request reimbursement from DAS.** The deadline to request reimbursement is **May 31, 2017**.

Just to be clear, **this MOU does not commit Cuyahoga County to any financial or procurement obligations.** It simply clarifies the process of selecting, purchasing, and funding electronic pollbooks. However, approval is required to receive the reimbursement funds from the State of Ohio.

If you have any questions regarding this MOU, please feel free to call me at 216-443-6411 or you may email me at pmcdonald@cuyahogacounty.us.

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0052

Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution authorizing Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$11,696,886.76, for child support services for the period 1/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services (“CJFS”) has recommended three (3) Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$11,696,886.76, for child support services for the period 1/1/2017 - 12/31/2017 as follows:

- a) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$4,057,624.95;
- b) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$3,770,477.25; and
- c) Cuyahoga County Prosecuting Attorney’s Office in the amount not-to-exceed \$3,868,784.56.

WHEREAS, the Title IV-D Cooperative Agreements are mandated by O.R.C. 3125.14, and the Ohio Department of Jobs and Family Services (ODSFS) regulations in order to specify the services, which will be rendered by each of these three (3) entities pertaining to the establishment, modification and enforcement of child support obligations, in accordance with applicable child support regulations; and

WHEREAS, the primary goal of these cooperative agreements are to enable the County to recover the 61%, or up to \$7,135,100.92, Federal Financial Participation (“FFP”) reimbursement portion of the expenses incurred by the Domestic Relations Court, Juvenile Court, and the County Prosecutor’s Office in providing these Title IV-D services to CJFS Office of Child Support Services; and

WHEREAS, this dollar amount is reimbursed to the County General Fund to offset the expenditures of these three (3) agencies; and

WHEREAS, these agreement costs will be funded 61% by Federal Financial Participation (“FFP”) Funds, 19% from HHS Levy funds, 13% from Revenue Fees Collected, and 7% from State 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 Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$11,696,886.76, for child support services for the period 1/1/2017 - 12/31/2017 as follows:

- a) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$4,057,624.95;
- b) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$3,770,477.25; and
- c) Cuyahoga County Prosecuting Attorney’s Office in the amount not-to-exceed \$3,868,784.56.

SECTION 2. That the County Executive is hereby authorized to execute the agreements 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 Assigned:

Journal _____
_____, 20____

Item No. 7

Describe the goods or services to be procured. Your description should include a brief explanation of need.

The Domestic Relations Court will provide Title IV-D (child support) Units of Service comprised of any Court case, motion or other action provided for in the Ohio Revised Code (O.R.C.) relating to the establishment, modification or enforcement of a child support obligation, and which is journalized by such Court.

The IV-D Cooperative Agreement Contract enables the County to recover through Federal Financial Participation reimbursement approximately 61% of the IV-D expenses incurred by the Domestic Relations Court. The dollar amount is reimbursed to the County General Fund to offset the expenditures of the Court. Without timely approval of the Contract, any reimbursement to the County General Fund would not be available.

Vendor Name(s):

N/A

Estimated Cost:

\$4,057,624.95

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

Y

If applicable, start- and end-dates of the contract amendment.

Start Date: 1/1/2017

End Date: 12/31/2017

Procurement Type

GOVERNMENT / INTRA-AGENCY (GOVERNMENT WITHIN OF CUYAHOGA COUNTY AUTHORITY)

Briefly describe the proposed procurement method.

Title IV-D Cooperative Agreement Contracts are mandated by O.R.C. 3125.14 and Ohio Department of Jobs and Family Services (ODJFS) regulations in order to specify the services which will be rendered pertaining to the establishment, modification and enforcement of Child Support Obligations in accordance with applicable Child Support Regulations.

Why is this method preferred over the standard, competitive procedure?

N/A

Were other vendors evaluated? If not, explain.

N/A

For items or services being procured through State or GSA contract or through a joint purchasing program, provide the contract number and expiration date.

N/A

Item No. 8

Describe the goods or services to be procured. Your description should include a brief explanation of need.

The Juvenile Court will provide Title IV-D (child support) Units of Service comprised of any Court case, motion or other action provided for in the Ohio Revised Code (O.R.C.) relating to the establishment, modification or enforcement of a child support obligation, and which is journalized by such Court. The IV-D Cooperative Agreement Contract enables the County to recover through Federal Financial Participation reimbursement approximately 61% of the IV-D expenses incurred by the Juvenile Court. The dollar amount is reimbursed to the County General Fund to offset the expenditures of the Court. Without timely approval of the Contract, any reimbursement to the County General Fund would not be available.

Vendor Name(s):

N/A

Estimated Cost:

\$3,770,477.25

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

Y

If applicable, start- and end-dates of the contract amendment.

Start Date: 1/1/2017

End Date: 12/31/2017

Procurement Type

GOVERNMENT / INTRA-AGENCY (GOVERNMENT WITHIN OF CUYAHOGA COUNTY AUTHORITY)

Briefly describe the proposed procurement method.

Title IV-D Cooperative Agreement Contracts are mandated by O.R.C. 3125.14 and Ohio Department of Jobs and Family Services (ODJFS) regulations in order to specify the services which will be rendered pertaining to the establishment, modification and enforcement of Child Support Obligations in accordance with applicable Child Support Regulations.

Why is this method preferred over the standard, competitive procedure?

N/A

Were other vendors evaluated? If not, explain.

N/A

For items or services being procured through State or GSA contract or through a joint purchasing program, provide the contract number and expiration date.

N/A

Item No. 9

Describe the goods or services to be procured. Your description should include a brief explanation of need.

The Prosecutor's Office will provide Title IV-D Units of Service comprised of the hours of service provided by Assistant Prosecuting Attorneys working on CJFS/OCSS-initiated Title IV-D cases. The Prosecutor's Office is CJFS/OCSS's legal representative with respect to IV-D hearings at Domestic Relations Court and Juvenile Court.

Vendor Name(s):

N/A

Estimated Cost:

\$3,868,784.56

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

Y

If applicable, start- and end-dates of the contract amendment.

Start Date: 1/1/2017

End Date: 12/31/2017

Procurement Type

GOVERNMENT / INTRA-AGENCY (GOVERNMENT WITHIN OF CUYAHOGA COUNTY AUTHORITY)

Briefly describe the proposed procurement method.

Title IV-D Cooperative Agreement Contracts are mandated by O.R.C. 3125.14 and Ohio Department of Jobs and Family Services (ODJFS) regulations in order to specify the services which will be rendered pertaining to the establishment, modification and enforcement of Child Support Obligations in accordance with applicable Child Support Regulations.

Why is this method preferred over the standard, competitive procedure?

N/A

Were other vendors evaluated? If not, explain.

N/A

For items or services being procured through State or GSA contract or through a joint purchasing program, provide the contract number and expiration date.

N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0053

Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution authorizing Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$103,746.55, for child support services for the period 1/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services (“CJFS”) has recommended two (2) Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$103,746.55, for child support services for the period 1/1/2017 - 12/31/2017 as follows:

- a) Cuyahoga County Treasurer’s Office in the amount not-to-exceed \$75,796.59; and
- b) Cuyahoga County Court of Common Pleas/Division of Juvenile Court/ Cashiers Department in the amount not-to-exceed \$27,949.96.

WHEREAS, the Title IV-D Cooperative Agreements are mandated by O.R.C. 3125.14, and the Ohio Department of Jobs and Family Services (ODSFS) regulations in order to specify the services, which will be rendered by each of these two (2) entities pertaining to the establishment, modification and enforcement of child support obligations, in accordance with applicable child support regulations; and

WHEREAS, the primary goal of these cooperative agreements are to enable the County to recover the 61%, or up to \$63,285.40 Federal Financial Participation (“FFP”) reimbursement portion of the expenses incurred by the Cuyahoga County Treasurer’s Office and Juvenile Court Cashiers Department in providing these Title IV-D service for CJFS Office of Child Support Services; and

WHEREAS, this dollar amount is reimbursed to the County General Fund to offset the expenditures of these two (2) agencies; and

WHEREAS, these agreement costs will be funded 61% by Federal Financial Participation (“FFP”) Funds, 19% from HHS Levy funds, 13% from Revenue Fees Collected, and 7% from State 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 Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$103,746.55, for child support services for the period 1/1/2017 - 12/31/2017 as follows:

- a) Cuyahoga County Treasurer’s Office in the amount not-to-exceed \$75,796.59; and
- b) Cuyahoga County Court of Common Pleas/Division of Juvenile Court/ Cashiers Department in the amount not-to-exceed \$27,949.96; and

SECTION 2. That the County Executive is hereby authorized to execute the agreements 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. 10

Describe the goods or services to be procured. Your description should include a brief explanation of need.

The Treasurer’s Office will accept cash payments related to Child Support cases at its main office at 2079 East 9th Street, 1st Floor, Cleveland, OH 44115, will provide CJFS/OCSS with receipts for payments, and will deposit cash payments into a CJFS/OCSS depository account.

Vendor Name(s):

N/A

Estimated Cost:

\$75,796.59

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

Y

If applicable, start- and end-dates of the contract amendment.

Start Date: 1/1/2017

End Date: 12/31/2017

Procurement Type

GOVERNMENT / INTRA-AGENCY (GOVERNMENT WITHIN OF CUYAHOGA COUNTY AUTHORITY)

Briefly describe the proposed procurement method.

Title IV-D Cooperative Agreement Contracts are mandated by O.R.C. 3125.14 and Ohio Department of Jobs and Family Services (ODJFS) regulations in order to specify the services which will be rendered pertaining to the establishment, modification and enforcement of Child Support Obligations in accordance with applicable Child Support Regulations.

Why is this method preferred over the standard, competitive procedure?

N/A

Were other vendors evaluated? If not, explain.

N/A

For items or services being procured through State or GSA contract or through a joint purchasing program, provide the contract number and expiration date.

N/A

Item No. 11

Describe the goods or services to be procured. Your description should include a brief explanation of need.

The Juvenile Court Cashiers will accept cash payments related to Child Support cases at Juvenile Court's main office at 9300 Quincy Avenue, Cleveland, OH 44106, will provide CJFS/OCSS with receipts for payments, and will deposit cash payments into a CJFS/OCSS depository account.

Vendor Name(s):

N/A

Estimated Cost:

\$27,949.96

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

Y

If applicable, start- and end-dates of the contract amendment.

Start Date: 1/1/2017

End Date: 12/31/2017

Procurement Type

GOVERNMENT / INTRA-AGENCY (GOVERNMENT WITHIN OF CUYAHOGA COUNTY AUTHORITY)

Briefly describe the proposed procurement method.

Title IV-D Cooperative Agreement Contracts are mandated by O.R.C. 3125.14 and Ohio Department of Jobs and Family Services (ODJFS) regulations in order to specify the services which will be rendered pertaining to the establishment, modification and enforcement of Child Support Obligations in accordance with applicable Child Support Regulations.

Why is this method preferred over the standard, competitive procedure?

N/A

Were other vendors evaluated? If not, explain.

N/A

For items or services being procured through State or GSA contract or through a joint purchasing program, provide the contract number and expiration date.

N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0054

Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Family and Children First Council	A Resolution authorizing an amendment to Contract No. CE1600248-01 with Starting Point for the Out-of-School Time Program for the period 10/1/2016 - 1/31/2017 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,400,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Family and Children First Council has recommended an amendment to Contract No. CE1600248-01 with Starting Point for the Out-of-School Time Program for the period 10/1/2016 - 1/31/2017 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,400,000.00; and

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

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

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1600248-01 with Starting Point for the Out-of-School Time Program for the period 10/1/2016 - 1/31/2017 to extend the time period to 12/31/2017 and for additional funds in the amount not-to-exceed \$1,400,000.00.

Item No. 4

DEPARTMENT OF HEALTH AND HUMAN SERVICES - DIVISION OF COMMUNITY INITIATIVES: FAMILY AND CHILDREN FIRST COUNCIL

Describe the goods or services being procured.

The Family and Children is requesting approval to submit a contract amendment for the purpose of having Starting Point serve as the lead agency for out-of-school time services, which includes after school and summer programming for children and teenagers, professional development for youth-serving workers, and other specified services.

Total Cost

\$1,400,000.00

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

Y

Amendment Reason

The Family and Children is requesting approval to submit a contract amendment for the purpose of having Starting Point serve as the lead agency for out-of-school time services, which includes after school and summer programming for children and teenagers, professional development for youth-serving workers, and other specified services.

Contract Start Date

1/31/2017

Contract End Date

12/31/2017

Project Location(s)

Project Council District(s)

Vendor Name(s)

NA

Funding Source

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0055

<p>Sponsored by: County Executive Budish and Council President Brady</p>	<p>A Resolution authorizing the County Executive to obtain and/or pledge one or more letters of credit from a bank or banks related to and in support of The MetroHealth System’s Campus Transformation Project; approving and authorizing the execution of one or more indentures or other documents; authorizing other contracts and other actions related to and necessary for the matter described herein; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, The MetroHealth System (“MetroHealth”) has a long and storied history as the public hospital for Cuyahoga County and the City of Cleveland, originally founded as City Hospital in 1837 to provide care for the chronically ill, aged, mentally impaired, and the poor; and,

WHEREAS, in 1958 City Hospital became a county hospital, and was subsequently renamed The MetroHealth System; and,

WHEREAS MetroHealth has been a research and teaching hospital affiliated with Case Western Reserve University’s School of Medicine, with approximately 400 residents receiving training each year; and,

WHEREAS, since the original passage of the county’s Health and Human Service Levy, Cuyahoga County has historically provided an annual operating subsidy to MetroHealth for the care of uninsured and under-insured county residents; and,

WHEREAS, in 2015 MetroHealth reported a total community benefit in the amount of \$223 million, providing healthcare access to uninsured and under-insured patients; and,

WHEREAS, MetroHealth has been a responsible community partner with Cuyahoga County agencies and other community organizations on issues including infant mortality, Project DAWN (Deaths Avoided with Naloxone), the Northern Ohio Trauma System (NOTS), Medical services for the county jail, the Cleveland Metropolitan School District Mentoring Program, and a Medical Home for Children in Foster Care, among many others; and,

WHEREAS, pursuant to Section 339.02 of the Ohio Revised Code and Section 2.03 of the Charter of Cuyahoga County, the County Executive together with the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service appoints the members of the board of hospital trustees of MetroHealth, subject to confirmation by the Council; and,

WHEREAS, MetroHealth has a clear and convincing need for major capital renovation and/or reconstruction of its main campus facilities; and,

WHEREAS, MetroHealth has announced its campus transformation plan to address its longstanding capital needs, realize operational efficiencies, and improve patient outcomes; and,

WHEREAS, MetroHealth is seeking to issue bonds to finance its campus transformation project; and,

WHEREAS, the County and MetroHealth have worked collaboratively to identify cost savings related to the financing of MetroHealth's campus transformation project; and,

WHEREAS, the County will seek to obtain and/or pledge one or more letters of credit that would save MetroHealth millions of dollars in borrowing costs; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that the usual daily operation of the County be continued and the public peace, health or safety of the County be preserved and for the further reason that the actions identified herein are needed to support the MetroHealth campus transformation project.

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

SECTION 1. The Cuyahoga County Council hereby authorizes the County Executive to provide an alternative facility comparable to a capitalized debt service reserve fund, including but not limited to obtaining and/or pledging one or more letters of credit from a bank or banks in an effort to support the MetroHealth campus transformation project. The County Council hereby authorizes the County Executive to pay for any and all costs and fees associated with obtaining and/or pledging a letter or letters of credit and the actions described herein.

SECTION 2. The County Executive, the Fiscal Officer, the Director of Law and the Clerk of Council are each hereby authorized and directed to take any and all other actions and to execute any and all other instruments, certificates and documents as may in their judgment be necessary, desirable, advisable or appropriate in connection with the issuance and/or pledge of the letter(s) of credit, including, but not limited to, any

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0030

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution authorizing the issuance and sale of one or more series of County revenue bonds, in an aggregate principal amount that will generate net proceeds of \$140,000,000.00, for the purpose of paying or reimbursing the costs of reconstructing, refurbishing, renovating, upgrading, improving and equipping Quicken Loans Arena, together with appurtenances and work incidental thereto, and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith; authorizing the preparation and use of one or more preliminary official statements and the preparation, execution and use of one or more official statements; approving and authorizing the execution of one or more trust indentures or supplemental trust indentures and one or more continuing disclosure agreements; authorizing other contracts and other actions related to and necessary for the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County, in cooperation with Gateway Economic Development Corporation of Greater Cleveland (“Gateway”), the City of Cleveland, the Cleveland Cavaliers basketball organization and other civic partners, participated in the financing and refinancing the costs of the construction and improvement of the multi-purpose arena now known as Quicken Loans Arena (the “Arena”); and

WHEREAS, Cavaliers Operating Company, LLC, as lessee and operator of the Arena, in cooperation with Gateway and the County, has proposed to undertake alterations and improvements, commonly referred to as the Transformation, of the Arena; and

WHEREAS, this Council has determined that it is necessary and in the best interest of the County for the County to issue one or more series of Sales Tax Revenue Bonds or Nontax Revenue Bonds for the purpose of paying or reimbursing the costs of, reconstructing, refurbishing, renovating, upgrading, improving and equipping the Quicken Loans Arena (the “Project”), together with appurtenances and work incidental thereto, and for the purpose of paying any capitalized interest on the bonds and paying the costs of issuance in connection therewith; and

WHEREAS, this Council has determined that the Series 2017 Arena Bonds shall be issued in an aggregate principal amount that will generate net proceeds of \$140,000,000 for the purposes herein stated and that the County shall secure such bonds as Sales Tax Revenue Bonds or Nontax Revenue Bonds by one or more trust indentures or supplemental trust indentures, as provided herein; and

WHEREAS, the County is authorized pursuant to Section 307.023 of the Ohio Revised Code to acquire, construct, improve, maintain, operate, lease, or otherwise contract for the acquisition or use of sports facilities intended to house major league professional athletic teams, such as the Arena; and

WHEREAS, the County is authorized pursuant to Section 133.15 of the Ohio Revised Code to issue securities of the County for the purpose of paying all or any portion of the costs of any permanent improvement that the subdivision is authorized, alone or in cooperation with other persons, to acquire, improve, or construct.

WHEREAS, the County 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 of the Ohio Revised Code (the “Act”), among other things, to issue its revenue bonds for the purpose of financing, by loans or otherwise, “projects” as defined in the Act, for the purpose of creating or preserving jobs and employment opportunities and improving the economic welfare of the people of the County and of the State; and

WHEREAS, the County has determined that it is necessary and desirable to issue its Economic Development Revenue Bonds, Series 2017 (Arena Project) (the “Series 2017 Nontax Revenue Arena Bonds”), in one or more series, to create and preserve jobs and employment opportunities, by providing funding for the Project as a project as defined in the Act, to fund any deposit to the Bond Reserve Fund, and to pay certain costs of issuance in connection with Series 2017 Nontax Revenue Bonds, together with any Series 2017 Sales Tax Revenue Arena Bonds it may issue pursuant to this Resolution; and

WHEREAS, pursuant to a resolution adopted July 6, 1987 (the “1987 County Sales Tax Resolution”), the Board of County Commissioners of the County (the “Board”), as the predecessor legislative authority to this Council, authorized the continuing levy and collection of sales and use taxes, authorized

under Sections 5739.021 and 5741.021 of the Ohio Revised Code, at the rate of one percent (1%), and pursuant to a resolution adopted July 26, 2007 (the “2007 County Sales Tax Resolution” and, together with the 1987 County Sales Tax Resolution, the “County Sales Tax Resolutions”), the Board authorized an increase in the sales and use taxes to a rate of one and one-quarter percent (1-1/4%) (the “County Sales Tax”), each for the purpose of providing additional general revenues for the County; and

WHEREAS, the Fiscal Officer has certified that the estimated life of the Project is at least five (5) years, and that the estimated maximum maturity of the bonds described in Section 2 is at least twenty (20) years; and

WHEREAS, the Fiscal Officer has further certified to this Council that the maximum aggregate amount of Sales Tax Revenue Bonds, including the Series 2017 Sales Tax Revenue Arena Bonds, that will be outstanding at any time will not exceed an amount which requires or is estimated by him, as Fiscal Officer, to require payments from sales tax receipts of debt charges on the Sales Tax Revenue Bonds, including the Series 2017 Arena Bonds, in any calendar year in an amount exceeding the average of the amount received by the County for the years 2015 and 2016; and

WHEREAS, the County has determined that it is necessary and desirable to issue the Series 2017 Sales Tax Revenue Arena Bonds, in one or more series, for the purpose of paying or reimbursing the costs of the Project, to fund any deposit to the Bond Reserve Fund, and to pay certain costs of issuance in connection with the Series 2017 Sales Tax Revenue Arena Bonds, together with any Series 2017 Nontax Revenue Arena Bonds it may issue pursuant to this Resolution; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that the usual daily operation of the County be continued and the public peace, health or safety of the County be preserved and for the further reason that funds be made available in a timely manner for the construction of the Project.

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

1. Definitions and Interpretation. As used herein, the following terms shall be defined as follows:

“Bond Counsel” means Squire Patton Boggs (US) L.L.P. and Forbes, Fields & Associates Co., L.P.A. as Co-Bond Counsel.

“Bond Service Charges” means Bond Service Charges on Series 2017 Arena Bonds as defined in the applicable Indenture.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Series 2017 Arena Bonds and the principal of and interest on the Series 2017 Arena Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the County only to a Depository or its nominee as registered owner, with the Series 2017 Arena Bonds deposited with and retained in the custody of the Depository or its agent. The book entry maintained by others than the County is the record that identifies the owners of book entry interests in those Series 2017 Arena Bonds and that principal and interest.

“Certificate of Award” means the one or more certificates authorized to be signed by the Fiscal Officer pursuant to Section 6, specifying and determining those terms or other matters pertaining to the Series 2017 Arena Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

“Closing Date” means the date or dates of original delivery of, and payment of the purchase price for, the Series 2017 Arena Bonds.

“Code” means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Certificate” means the one or more certificates authorized by Section 6(c) hereof which, together with the agreements of the County set forth in that Section, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Series 2017 Arena Bonds in accordance with the Rule.

“County Executive” means the County Executive of the County; provided, for purposes of the signing of documents, certificates and other instruments other than the Series 2017 Arena Bonds and the Official Statement, County Executive includes the County Executive’s Chief of Staff as the County Executive’s designee pursuant to Executive Order No. EO2015-0001 and any other person duly designated by the County Executive.

“County Sales Tax Bond Fund” means the County Sales Tax Bond Fund created by the Sales Tax Revenue Bond Indenture.

“County Sales Tax Receipts” means the monies received by the County from the County Sales Tax.

“County Sales Tax Revenue Fund” means the County Sales Tax Revenue Fund created by the Sales Tax Revenue Bond Indenture.

“Depository” means The Depository Trust Company (a limited purpose trust company), New York, New York until a successor Depository shall have become such pursuant to the applicable provisions of the Indenture and, thereafter, Depository shall mean the successor Depository. Any Depository shall be a securities depository that is a clearing agency under federal law operating and maintaining, with its participants or otherwise, a Book Entry System to record ownership of book entry interests in the Series 2017 Arena Bonds or Bond Service Charges thereon, and to effect transfers of book entry interests in the Series 2017 Arena Bonds.

“Director of Law” means the Director of Law of the County, including an interim or acting Director of Law.

“Excluded Nontax Revenues” means the project revenues relating to a particular series of Nontax Revenue Bonds that are excluded from the definition of Nontax Revenues pursuant to the terms of the respective indenture or authorizing resolution for such Nontax Revenue Bonds.

“Fiscal Officer” means the Fiscal Officer of the County, including an interim or acting Fiscal Officer.

“Interest Payment Dates” means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, June 1 and December 1 of each year during which the Series 2017 Arena Bonds are outstanding, commencing December 1, 2017.

“Mandatory Sinking Fund Redemption Requirements” means, as to the Series 2017 Arena Bonds, the deposits required to be made in respect of the mandatory redemption requirements indicated in the Indenture.

“Nontax Revenues” means all money of the County that is not money raised by taxation, to the extent available for deposit in the Debt Retirement Fund, the Bond Reserve Fund or the Pledge Fund as provided in the Nontax Revenue Bond Indenture, including, but not limited to the following: (a) charges for services and payments received in reimbursement for services; (b) payments in lieu of taxes now or hereafter authorized by State statute; (c) fines and forfeitures; (d) fees from properly imposed licenses and permits; (e) investment earnings on any funds of the County that are credited to the County’s General Fund; (f) proceeds from the sale of assets; (g) rental income; (h) grants from the United States of America and the State of Ohio; (i) gifts and donations; and (j) Project Revenues; provided that Nontax Revenues do not include the Excluded Nontax Revenues.

“Nontax Revenue Bonds” means the Series 2017 Nontax Revenue Arena Bonds and any bonds, notes or other obligations of or guaranties by the County

secured by a pledge of the Nontax Revenues on a parity with or prior to the Series 2017 Nontax Revenue Arena Bonds.

“Nontax Revenue Bond Indenture” means the one or more trust indentures, to be dated the first day of the month in which the Series 2017 Nontax Revenue Arena Bonds are issued, between the County and the Nontax Revenue Bond Trustee and relating to the issuance of the Series 2017 Nontax Revenue Arena Bonds, and any amendment or supplement thereto.

“Nontax Revenue Bond Trustee” means the financial institution designated by the Fiscal Officer in the Certificate of Award, in accordance with Section 9 of this Resolution.

“Nontax Revenue Pledged Fund” means the fund so identified in the Nontax Revenue Bond Indenture.

“Nontax Revenue Special Funds” means the funds so identified in the Nontax Revenue Bond Indenture.

“Original Purchaser” means collectively KeyBanc Capital Markets, Inc., PNC Capital Markets LLC and Fifth Third Securities, Inc., in such roles for particular series of the Series 2017 Arena Bonds as may be specified in the Certificate of Award, together with any other purchasers identified in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

“Pledged Nontax Revenues” means (i) all Project Revenues, (ii) proceeds of any series of Series 2017 Nontax Revenue Bonds used to pay capitalized interest or otherwise to be available to pay Bond Service Charges, (iii) Nontax Revenues in the Nontax Revenue Pledged Fund, (iv) all money in the Nontax Revenue Special Funds and (v) all income and profit from the investment of the foregoing money.

“Pledged Sales Tax Revenue Bond Funds” means the County Sales Tax Bond Fund and any other funds established under the Indenture and pledged as security for the Series 2017 Arena Bonds.

“Pledged Sales Tax Revenues” means, collectively, (a) the County Sales Tax Receipts and (b) all monies in the Pledged Sales Tax Revenue Bond Funds and all income and profit from the investment of those monies.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2017 to and including 2034.

“Project Revenues” means any money and investments received in connection with the Project and pledged to one or more series of Series 2017 Arena Bonds, pursuant to the Sales Tax Revenue Bond Indenture or the Nontax Revenue Bond Indenture.

“Purchase Agreement” means, with respect to the Series 2017 Arena Bonds, one or more Bond Purchase Agreements between the County and the Original Purchaser.

“Rule” means Rule 15c2-12(b)(5) promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934, as it may be amended from time to time.

“Sales Tax Revenue Bonds” means the Series 2017 Sales Tax Revenue Arena Bonds and other bonds that are currently outstanding or that the County may issue in the future that are secured by the Sales Tax Revenue Bond Indenture.

“Sales Tax Revenue Bond Indenture” means the Trust Indenture dated as of December 1, 2014 between the County and the Sales Tax Revenue Bond Trustee, as amended and supplemented, including by Sales Tax Revenue Bond Supplemental Indenture No. 3.

“Sales Tax Revenue Bond Trustee” means the financial institution designated by the Fiscal Officer in the Certificate of Award, in accordance with Section 9 of this Resolution.

“Sales Tax Revenue Bond Supplemental Indenture No. 3” means Supplemental Trust Indenture No. 3, to be dated the first day of the month in which the Series 2017 Sales Tax Arena Bonds are issued, between the County and the Sales Tax Revenue Bond Trustee and relating to the issuance of the Series 2017 Sales Tax Revenue Arena Bonds, and any amendment or supplement thereto.

“Series 2017 Arena Bonds” means the Series 2017 Sales Tax Revenue Arena Bonds and the Series 2017 Nontax Revenue Arena Bonds.

“Series 2017 Sales Tax Revenue Arena Bonds” means any Series 2017 Arena Bonds designated as such in the Certificate of Award.

“Series 2017 Nontax Revenue Arena Bonds” means any Series 2017 Arena Bonds designated as such in the Certificate of Award.

“Taxable Bonds” means any Series 2017 Arena Bonds that are not Tax-Exempt Bonds.

“Tax-Exempt Bonds” means any Series 2017 Arena Bonds that are issued and sold as obligations to which Section 103 of the Code applies, the interest on which is excluded from gross income for federal income tax purposes and is not an item of tax preference under Section 57 of the Code.

“Tax Status” means the status of Bonds as Tax-Exempt Bonds or Taxable Bonds.

“Term Bonds” means those Series 2017 Arena Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

2. Authorization and Determinations.

(a) It is necessary to issue Sales Tax Revenue Bonds or Nontax Revenue Bonds of the County in an aggregate principal amount that will generate net proceeds (i.e., aggregate principal amount net of costs of issuance, capitalized interest, any original issue discount, and the amount required to fund any bond reserve fund) of \$140,000,000 (the “Series 2017 Arena Bonds”) for the purpose of paying or reimbursing the costs of the Project, funding any deposit to a Bond Reserve Fund, paying any capitalized interest on the Series 2017 Arena Bonds, and paying the costs of issuance in connection therewith.

(b) This Council finds and determines that the Project constitutes a “project” as defined in the Act and is consistent with the purposes of Section 13, Article VIII of the Ohio Constitution to benefit the people of the County and of the State by creating and preserving jobs and employment opportunities and improving the economic welfare of the people of the County and of the State.

3. Bond Terms. The Series 2017 Arena Bonds shall be issued pursuant to the terms of the Sales Tax Revenue Bond Indenture or the Nontax Revenue Bond Indenture, as the case may be. The Series 2017 Arena Bonds may be issued in one or more series, and shall be numbered in such manner as to distinguish each Series 2017 Arena Bond from any other Series 2017 Arena Bond of the same series. The Series 2017 Arena Bonds shall be issued in denominations of \$5,000 or multiples of \$5,000 in excess thereof, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. The Series 2017 Arena Bonds shall be dated as determined by the Fiscal Officer, with the true interest cost on the Series 2017 Arena Bonds not to exceed five and one-half percent (5.50%) per year (computed on the basis of a 360-day year consisting of twelve 30-day months),

provided that if any series of Series 2017 Arena Bonds are to be Taxable Bonds, the true interest cost on those Series 2017 Arena Bonds shall not exceed seven percent (7.00%) per year, payable on such semiannual dates or annual dates as determined by the Fiscal Officer in the Certificate of Award until the principal amount is paid, and shall mature on such semiannual dates or annual dates as determined by the Fiscal Officer in the Certificate of Award, provided that the final maturity of any Series 2017 Sales Tax Revenue Arena Bonds shall not be later than January 1, 2035, in accordance with Section 133.21 of the Ohio Revised Code, and the final maturity of any Series 2017 Nontax Revenue Arena Bonds shall be not later than January 1, 2035, all as set forth in the Certificate of Award and the Sales Tax Revenue Bond Indenture or the Nontax Revenue Bond Indenture, as the case may be.

4. Redemption Provisions. The Series 2017 Arena Bonds shall mature serially on such dates and in such principal amounts as are fixed by the Fiscal Officer in the Certificate of Award and the applicable Indenture, provided that the Series 2017 Arena Bonds stated to mature in any year may be issued as Term Bonds payable pursuant to Mandatory Sinking Fund Redemption Requirements as hereinafter defined and further described below and as provided for in the applicable Indenture. The Fiscal Officer shall determine in the Certificate of Award whether any of the Series 2017 Arena Bonds shall be issued as Term Bonds and any dates (the "Mandatory Redemption Dates") on which the principal amount stated above shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements rather than at stated maturity (the "Mandatory Sinking Fund Redemption Requirements").

The Series 2017 Arena Bonds shall be subject to redemption prior to stated maturity as follows:

(a) *Mandatory Sinking Fund Redemption.* If any of the Series 2017 Arena Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory sinking fund redemption and be redeemed pursuant to Mandatory Sinking Fund Redemption Requirements, at a redemption price of 100% of the principal amount redeemed, plus interest accrued to the redemption date, on the Mandatory Redemption Dates.

(b) *Optional Redemption.* The Series 2017 Arena Bonds shall be subject to redemption prior to maturity by or at the option of the County, at par, in whole or in part on any date on the dates, in the years and for the prices specified in the Certificate of Award, provided, however, that the Fiscal Officer may determine in the Certificate of Award that it is in the best interest of the County that the Series 2017 Arena Bonds not be subject to redemption prior to maturity. If the Series 2017 Arena Bonds are subject to redemption, the maximum redemption price shall be no greater than 100% of the principal amount redeemed, plus accrued interest to the redemption date for any Tax-Exempt Bonds and no greater than 103% of the principal amount redeemed, plus accrued interest to the redemption date for any Taxable Bonds.

5. Execution of Bonds. The Series 2017 Sales Tax Revenue Arena Bonds shall be designated “Cuyahoga County Sales Tax Revenue Bonds, Series 2017 (Arena Project)”, and the Series 2017 Nontax Revenue Arena Bonds shall be designated “Cuyahoga County Nontax Revenue Bonds, Series 2017 (Arena Project),” or in either case such other name as may be designated in the Certificate of Award, including any additional designation that the Fiscal Officer determines is appropriate to identify the Tax Status of Any Series of Series 2017 Arena Bonds. The Series 2017 Arena Bonds shall contain a summary statement of the purposes for which they are issued; shall state that they are issued pursuant to this Resolution; shall be executed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that either or both of those signatures may be a facsimile; shall be issued only in fully registered form; and shall be registered as to both principal and interest at the corporate trust office of the Trustee under the applicable Indenture. The Series 2017 Arena Bonds shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Fiscal Officer, and shall be numbered as determined by the Fiscal Officer.

The principal of the Series 2017 Arena Bonds shall be payable at maturity of the Series 2017 Arena Bonds upon presentation and surrender to the Trustee. Interest on any Bond shall be paid on each Interest Payment Date as defined in and as further provided in the Indenture. The principal and interest on the Series 2017 Arena Bonds is payable in lawful money of the United States of America without deduction for the services of the Trustee.

No Bond shall be valid or become obligatory for any purpose unless and until an authentication certificate appearing on the Series 2017 Arena Bond shall have been duly endorsed by the Trustee.

6. Book-Entry System. The Series 2017 Arena Bonds may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized: (i) the Series 2017 Arena Bonds of each series may be issued in the form of a single, fully registered bond representing each maturity and interest rate and Tax Status within a maturity and registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository or its designated agent, which may be the Trustee; (ii) the beneficial owners of Series 2017 Arena Bonds in book entry form shall have no right to receive Series 2017 Arena Bonds in the form of physical securities or certificates; (iii) ownership of beneficial interests in Series 2017 Arena Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; (iv) the Series 2017 Arena Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County, and (v) all the foregoing shall also be in accordance with the applicable Indenture and, in the case of Series 2017 Sales Tax Revenue Arena Bonds, Section

9.96 and Chapter 133 of the Ohio Revised Code, and, in the case of any Series 2017 Nontax Revenue Arena Bonds, the Act.

If any Depository determines not to continue to act as a Depository for the Series 2017 Arena Bonds for use in a book entry system, the County may attempt to establish a securities depository/book entry system relationship with another qualified Depository. If the County does not or is unable to do so, the County and the Trustee, after the Trustee has made provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Series 2017 Arena Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Trustee and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing) of those persons requesting such issuance.

The County Executive and the Fiscal Officer are each authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that that officer determines to be necessary in connection with a book entry system for the Series 2017 Arena Bonds, after determining that entering into those agreements will not endanger the funds or securities of the County.

7. Award and Sale of Bonds. The Series 2017 Arena Bonds shall be sold to the Original Purchaser at a purchase price and bearing interest at a rate or rates determined by the County Executive or the Fiscal Officer to be in the best interest of the County and as specified by the County Executive or the Fiscal Officer in the Certificate of Award in accordance with law, the provisions of this Resolution, and the applicable Indenture. The County Executive or the Fiscal Officer, or both of them, shall sign the Certificate of Award evidencing that sale to the Original Purchaser, with the final purchase price, interest rate or rates, aggregate principal amount, principal amounts payable at each stated maturity, the amount of any capitalized interest, and Tax Status, and with the designation of some or all of the Series 2017 Arena Bonds as Series 2017 Sales Tax Revenue Arena Bonds or as Series 2017 Nontax Revenue Arena Bonds, being set forth in the Certificate of Award and the applicable Indenture, at a purchase price not less than 97% of par plus any accrued interest to their date of delivery. The Fiscal Officer may specify in the Certificate of Award whether any reserve fund shall be established for all or any of the Series 2017 Arena Bonds and, if so, the applicable reserve requirement (subject to any applicable federal tax law restrictions) and source of funding. The Fiscal Officer shall cause the Series 2017 Arena Bonds to be prepared, and have the Series 2017 Arena Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Series 2017 Arena Bonds if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The Fiscal Officer, the County Executive, the Director of Law, the Clerk of this Council and other County officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other

documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

If, in the judgment of the Fiscal Officer, the filing of an application for (i) a rating on any Series 2017 Arena Bonds by one or more nationally-recognized rating agencies, or (ii) a policy of insurance or other credit enhancement facility from a company or companies to better assure the payment of principal of and interest on any Series 2017 Arena Bonds, or (iii) a surety bond or other credit enhancement facility from a company or other companies to satisfy any reserve requirement for any Series 2017 Arena Bonds is in the best interest of and financially advantageous to the County, the Fiscal Officer is authorized to prepare and submit those applications, to provide to each such agency, company or other credit enhancement facility provider such information as may be required for the purpose. The cost of obtaining each such rating, policy, bond or credit enhancement facility, except to the extent paid by the Original Purchaser, shall be paid from the proceeds of the Series 2017 Arena Bonds.

The Certificate of Award shall also specify the number of series in which the Series 2017 Arena Bonds will be issued and the designation of each. The Series 2017 Arena Bonds of each series shall conform to the limitations and requirements of this Resolution, and the Series 2017 Arena Bonds as a whole shall conform to the limitations and requirements of this Resolution.

The County Executive and the Fiscal Officer are, and each of them is, hereby authorized to execute and deliver, in the name and on behalf of the County, a Purchase Agreement for each series of Series 2017 Arena Bonds, with the Original Purchaser for that Series, dated as of a date to be specified in the Certificate of Award, incorporating or reflecting the Certificate of Award for that series and setting forth the terms and conditions for the sale and delivery of the Series 2017 Arena Bonds of that series to the Original Purchaser thereof, which the official or officials executing the Purchase Agreement and the Director of Law shall have determined to be consistent with the purposes and requirements of this Resolution and otherwise in the best interests of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement by those officials.

If the Series 2017 Arena Bonds are issued in multiple series, then each series shall conform to all the restrictions and requirements specified in this Resolution and all of the Series 2017 Arena Bonds, in the aggregate, shall conform to the restrictions and requirements specified in this Resolution.

8. Application of Bond Proceeds. The proceeds of the sale of the Series 2017 Arena Bonds shall be allocated and deposited as provided in the applicable Indenture.

9. Appointment of Bond Trustee; Indenture. The Certificate of Award shall also designate the financial institution (each of which shall have corporate trust powers in the State of Ohio and such other qualifications as the County Executive or

Fiscal Officer deems appropriate) to act as the trustee (each such trustee, or a successor trustee pursuant to the applicable Indenture, the “Trustee”) for the Series 2017 Arena Bonds or for any series thereof issued under a separate Indenture. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred by the Trustee pursuant to the applicable Indenture from the proceeds of the Series 2017 Arena Bonds to the extent available and then from other moneys lawfully available and appropriated or to be appropriated for that purpose.

In order to secure the Series 2017 Arena Bonds, the County Executive and the Fiscal Officer are, and each of them is, hereby authorized to execute and deliver, in the name and on behalf of the County, a trust indenture or supplemental trust indenture (each, an “Indenture”), each dated as of a date to be specified in the Certificate of Award, that the official or officials executing the Indenture and the Director of Law have determined to be consistent with the purposes and requirements of this Resolution and otherwise in the best interests of the County, all of which shall be conclusively evidenced by the signing of the Indenture by those officials.

10. Security for the Series 2017 Arena Bonds.

(a) Series 2017 Sales Tax Revenue Arena Bonds. The Series 2017 Sales Tax Revenue Arena Bonds are special obligations of the County, and the principal of and interest (and any premium) on the Series 2017 Sales Tax Revenue Arena Bonds are payable solely from the Pledged Sales Tax Revenues and the Pledged Sales Tax Revenue Bond Funds, together with other available funds of the County, and such payment is secured by a pledge of and a lien on the Pledged Sales Tax Revenues and the Pledged Sales Tax Revenue Bond Funds as provided in Chapter 133 of the Ohio Revised Code, this Resolution and the applicable Indenture.

The County has heretofore levied and covenants that it shall continue to collect the County Sales Taxes for so long as the Series 2017 Sales Tax Revenue Arena Bonds are outstanding. The County hereby covenants and agrees that, so long as the Series 2017 Sales Tax Revenue Arena Bonds are outstanding, it shall not suffer the repeal, amendment or any other change in this Resolution or the County Sales Tax Resolutions that in any way materially and adversely affects or impairs (a) the sufficiency of the County Sales Tax Receipts levied and collected or otherwise available for the payment of the Series 2017 Sales Tax Revenue Arena Bonds or (b) the pledge or the application of the County Sales Tax Receipts to the payment of the Series 2017 Sales Tax Revenue Arena Bonds.

The Series 2017 Sales Tax Revenue Arena Bonds do not constitute a general obligation debt, or a pledge of the full faith and credit, of the State, the County, or any other political subdivision of the State, and the holders or owners of the Series 2017 Sales Tax Revenue Arena Bonds have no right to have taxes levied by the General Assembly or property taxes levied by the taxing authority of any political subdivision of the State, including the taxing authority of the County, for

the payment of principal of and interest (and any premium) on the Series 2017 Sales Tax Revenue Arena Bonds. Nothing herein shall be construed as requiring the County to use or apply to the payment of principal of and interest (and any premium) on the Series 2017 Sales Tax Revenue Arena Bonds any funds or revenues from any source other than County Sales Tax Receipts. Nothing herein, however, shall be deemed to prohibit the County, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Resolution or of the Series 2017 Sales Tax Revenue Arena Bonds.

(b) Series 2017 Nontax Revenue Arena Bonds. The Series 2017 Nontax Revenue Arena Bonds are special obligations of the County, and the Bond Service Charges on the Series 2017 Nontax Revenue Arena Bonds are payable solely from the Nontax Revenues, and such payment is secured by a pledge of and an assignment of the Nontax Revenues and the assignment of and grant of a security interest in the Pledged Nontax Revenues as provided in this Resolution and in the applicable Indenture. The County hereby covenants and agrees that, as provided in the Indenture, it shall appropriate in its annual appropriation measure for each Year, The County hereby covenants and agrees that it shall appropriate in its appropriation measure for each year the Bonds are outstanding Nontax Revenues in an amount sufficient to pay all Bond Service Charges due and payable in that year. The County further covenants and agrees that it shall deposit from time to time Nontax Revenues into the bond fund identified in the Nontax Revenue Indenture sufficient, together with amounts then on deposit in such fund, to pay the Bond Service Charges when due.

The payments due hereunder and under the Series 2017 Nontax Revenue Arena Bonds are payable solely from the Nontax Revenues as defined in this Resolution, which Nontax Revenues are hereby determined to be money that is not raised by taxation. The Series 2017 Nontax Revenue Arena Bonds do not and shall not represent or constitute a debt or pledge of the faith or credit or taxing power of the County, and the owners of the Series 2017 Nontax Revenue Arena Bonds have no right to have taxes levied by the County for the payment of Bond Service Charges.

Nothing herein shall be construed as requiring the County to use or apply to the payment of principal and interest on the Bonds any funds or revenues from any source other than Nontax Revenues. Nothing herein, however, shall be deemed to prohibit the County, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Resolution or of the Series 2017 Nontax Revenue Arena Bonds.

The County covenants that, so long as any of the Series 2017 Nontax Revenue Arena Bonds are outstanding, it shall not issue any Parity Obligations, unless, prior to adoption of the resolution authorizing such Parity Obligations, the County shall have certified to the Trustee that the average annual Nontax Revenues

during the Coverage Computation Period, adjusted to reflect, if necessary, changes in the rates or charges resulting in the Nontax Revenues, will aggregate in amount not less than the Coverage Ratio of the highest amount of (a) Bond Service Charges and (b) required payments on such proposed Parity Obligations and any outstanding Parity Obligations due in any succeeding Year (all capitalized terms used in this paragraph but not otherwise defined in this Resolution being used with the definitions assigned to them in the applicable Indenture).

11. Federal Tax Considerations. This Section 11 applies only to Series 2017 Arena Bonds that are Tax-Exempt Bonds.

The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Series 2017 Arena Bonds in such manner and to such extent as may be necessary so that (a) the Series 2017 Arena Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Code or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Series 2017 Arena Bonds will not be treated as an item of tax preference under Section 57 of the Code.

The County further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Series 2017 Arena Bonds to be and to remain excluded from gross income for federal income tax purposes, and (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Series 2017 Arena Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property acquired with those proceeds, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports, and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Executive, the Fiscal Officer, or any other officer of the County having responsibility for issuance of the Series 2017 Arena Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Series 2017 Arena Bonds as the County is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in Section 148(f)(4)(C) of the Code or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Series 2017 Arena Bonds or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants

and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Series 2017 Arena Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Series 2017 Arena Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Series 2017 Arena 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 and the tax status of the Series 2017 Arena Bonds. Notwithstanding the foregoing or any other provisions of this Resolution to the contrary, if the Fiscal Officer determines in the Certificate of Award that it is necessary and appropriate and in the best interests of the County for the interest on the Series 2017 Arena Bonds not to be excluded from gross income for federal income tax purposes, the County shall not be bound by the covenants of this Section.

12. Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of one or more official statements in connection with the original issuance of the Series 2017 Arena Bonds, (ii) determine, and to certify or otherwise represent, when each official statement is to be “deemed final” (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the “deemed final” and final official statements and any supplements thereto in connection with the original issuance of the Series 2017 Arena Bonds, and (iv) complete and sign each final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the “deemed final” and final official statements as they deem necessary and appropriate.

13. Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Series 2017 Arena Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to sign and deliver one or more continuing disclosure agreement (each, a “Continuing Disclosure Agreement”), setting forth the County’s undertaking to provide such information and notices dated the date of delivery of the Series 2017 Arena Bonds and delivered to the Original Purchaser of the Series 2017 Arena Bonds. The County Executive and the Fiscal Officer are, and each of them is, hereby authorized to execute and deliver, in the name and on behalf of the County, each Continuing Disclosure Agreements that the official or officials executing the Continuing Disclosure Agreement and the Director of Law shall have determined to be consistent with the purposes and requirements of this Resolution and otherwise in the best interests of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement or Agreements by those officials.

14. Certification and Delivery of Resolution. The Clerk of this Council is directed to deliver or cause to be delivered a certified copy of this Resolution to the Fiscal Officer.

15. Certification of Project. Prior to the delivery of any Series 2017 Nontax Revenue Bonds, the Cuyahoga County Community Improvement Corporation shall certify 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 the County pursuant to Section 1724.10, Ohio Revised Code.

16. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be done or performed by the County or to have been met precedent to and in the issuing of the Series 2017 Arena Bonds in order to make them legal, valid and binding obligations of the County have been performed and have been met, or will at the time of delivery of the Series 2017 Arena Bonds have been performed and have been met, in regular and due form as required by law.

17. Other Documents. The County Executive, the Fiscal Officer, the Director of Law and the Clerk of Council are each hereby authorized and directed to take any and all other actions and to execute any and all other instruments, certificates and documents as may in their judgment be necessary, desirable, advisable or appropriate in connection with the issuance of the Series 2017 Arena Bonds in order to give effect to the transactions contemplated to be performed on the part of the County under this Resolution, including, but not limited to, any cooperative agreement or other agreement with Gateway Economic Development Corporation of Greater Cleveland, the City of Cleveland, and Destination Cleveland related to the Project or to revenues that may be available for the Project or for payment of Bond Service Charges on the Series 2017 Arena Bonds that the official or officials executing such document and the Director of Law shall have determined to be necessary and appropriate in connection with the issuance and delivery of the Series 2017 Arena Bonds and otherwise in the best interests of the County, all of which shall be conclusively evidenced by the signing thereof by those officials. To the extent an exemption from competitive bidding is needed for anything described herein, it is hereby granted.

18. Bond Counsel. This Council hereby retains the legal services of Squire Patton Boggs (US) LLP, and Forbes, Fields & Associates Co., L.P.A. as Co-Bond Counsel to the County, in connection with the authorization, sale, issuance and delivery of the Series 2017 Arena Bonds, pursuant to the authority in Ohio Revised Code Section 165.02. In providing those legal services, as an independent contractor and in an attorney-client relationship, Bond Counsel shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, or of the County, or of any other political subdivision of the State, or the execution of public trusts.

19. Compliance with Open Meetings. This Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of Council, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Ohio Revised Code Section 121.22.

20. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. References to a Section are to a section of this Resolution.

21. Severability. Each section of this Resolution and each subdivision or paragraph of any section thereof is declared to be independent and the finding or holding of any section or any subdivision or paragraph of any section thereof to be invalid or void shall not be deemed or held to affect the validity of any other section, subdivision or paragraph of this Resolution.

22. Effective Date. 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: (i) its approval by the County Executive through signature, (ii) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Charter, or (iii) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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: February 14, 2017

Committee(s) Assigned: Committee of the Whole

Legislation Substituted in Committee: February 21, 2017

Committee Report/Second Reading: March 14, 2017

Journal _____
_____, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0039

Sponsored by: County Executive Budish/Department of Development	A Resolution making awards to various municipalities, each in the amount not-to-exceed \$150,000.00, for various municipal grant projects for the 2017 Community Development Block Grant Municipal Grant Program for the period 4/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Development has recommended awards to various municipalities, in the total amount of \$1,500,000.00, for various municipal grant projects for the 2017 Community Development Block Grant (“CDBG”) Municipal Grant Program for the period 4/1/2017 - 12/31/2017; and

WHEREAS, the participants of the 2017 CDBG Municipal Grant Program have been chosen from the fifty one (51) communities that are members of the Cuyahoga Urban County; and

WHEREAS, each of the 51 communities are eligible to apply to receive a grant in an amount not-to-exceed \$150,000.00; and

WHEREAS, the Department of Development reviews and analyzes each of the applications based on scoring criteria which evaluates participants based on project description, proposed project feasibility, and implementation plan; and

WHEREAS, based on the scoring criteria, the following is a list of the municipal grant projects recommended for awards:

- a) City of Maple Heights for park improvement;
- b) City of Berea for road resurfacing;
- c) City of Broadview Heights for road reconstruction;
- d) City of Mayfield Heights for safety/ADA;
- e) City of North Olmsted for sidewalk repair;
- f) City of South Euclid for road reconstruction;
- g) City of Parma Heights for road resurfacing;
- h) City of Brooklyn for road and sewer repair;

- i) City of Fairview Park for sidewalk repair;
- j) City of Middleburg Heights for road resurfacing; and

WHEREAS, the awards are funded 100% from federal Community Development Block 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 operation of a County entity.

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

SECTION 1. That the Cuyahoga County Council hereby makes awards to various municipalities, each in the amount not-to-exceed \$150,000.00, for various municipal grant projects for the 2017 Community Development Block Grant Municipal Grant Program for the period 4/1/2017 - 12/31/2017:

- a) City of Maple Heights for park improvement.
- b) City of Berea for road resurfacing.
- c) City of Broadview Heights for road reconstruction.
- d) City of Mayfield Heights for safety/ADA.
- e) City of North Olmsted for sidewalk repair.
- f) City of South Euclid for road reconstruction.
- g) City of Parma Heights for road resurfacing.
- h) City of Brooklyn for road and sewer repair.
- i) City of Fairview Park for sidewalk repair.
- j) City of Middleburg Heights for road resurfacing.

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

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

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that

resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 28, 2017

Committee(s) Assigned: Community Development

Committee Report/Second Reading: March 14, 2017

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0040

<p>Sponsored by: County Executive Budish/Department of Development</p> <p>Co-sponsored by: Councilmembers Miller and Conwell</p>	<p>A Resolution making awards to various municipalities and non-profit organizations, in the total amount of \$998,966.00, for various projects in connection with the 2017 Community Development Supplemental Grant Program for the period 4/1/2017 - 12/31/2017; authorizing the County Executive to execute the agreements and contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Development has recommended awards to various municipalities and non-profit organizations, in the total amount of \$998,966.00, for various projects in connection with the 2017 Community Development Supplemental Grant (“CDSG”) Program for the period 4/1/2017 - 12/31/2017; and

WHEREAS, the participants of the 2017 CDSG Program have been chosen from the thirty (30) communities and sixteen (16) non-profit organizations that submitted applications; and

WHEREAS, the Department of Development and a review committee reviewed and analyzed each of the applications based on scoring criteria which evaluates participants based on project description, proposed project feasibility, and implementation plan; and

WHEREAS, based on the scoring criteria, the following is a list of the supplemental grant projects recommended for awards:

- a) Lakewood Alive Development Corporation in the amount not-to-exceed \$50,000.00 for a Streetscaping Project.
- b) St. Clair-Superior Development Corporation in the amount not-to-exceed \$50,000.00 for the Bus Stop Safety Program.
- c) Tremont West Development Corporation in the amount not-to-exceed \$50,000.00 for the Lincoln Park Gazebo Project.
- d) Village of Glenwillow in the amount not-to-exceed \$50,000.00 for the Park Construction Project.

- e) Village of Mayfield in the amount not-to-exceed \$50,000.00 for the Band Shell Construction Project.
- f) City of Parma Heights in the amount not-to-exceed \$50,000.00 for the Cultural Center Rehabilitation Project.
- g) City of Rocky River in the amount not-to-exceed \$49,950.00 for the Safety Project.
- h) Fairfax Renaissance Development Corporation in the amount not-to-exceed \$50,000.00 for the Vacant Lot Repurpose Project.
- i) Village of Chagrin Falls in the amount not-to-exceed \$40,000.00 for the Safety Project.
- j) City of Bay Village in the amount not-to-exceed \$50,000.00 for the Generator Project.
- k) City of Euclid in the amount not-to-exceed \$50,000.00 for the Tree/Flower Planting Project.
- l) City of Fairview Park in the amount not-to-exceed \$50,000.00 for the pavilion Construction Project.
- m) One South Euclid in the amount not-to-exceed \$20,000.00 for the homeowner Exterior Maintenance Program.
- n) Bellair-Puritas Development Corporation in the amount not-to-exceed \$50,000.00 for the Lighting and Landscaping Project.
- o) City of Middleburg Heights in the amount not-to-exceed \$50,000.00 for the Road Resurfacing Project.
- p) City of Brooklyn Heights in the amount not-to-exceed \$39,798.00 for the purchase of a van.
- q) City of Maple Heights in the amount not-to-exceed \$50,000.00 for the Park Improvements Project.
- r) City of Broadview Heights in the amount not-to-exceed \$50,000.00 for the Median Redevelopment Project.
- s) Village of Cuyahoga Heights in the amount not-to-exceed \$50,000.00 for the Acquisition and Demolition Project.
- t) Kamms Corner Development Corporation in the amount not-to-exceed \$44,768.00 for the Parking Lot Repair Project.
- u) City of Richmond Heights in the amount not-to-exceed \$50,000.00 for the ADA Accessibility Project.
- v) Campus District, Inc. in the amount not-to-exceed \$4,450.00 for the purchase of a camera.

WHEREAS, the awards are funded 100% from federal Community Development Supplemental Grant Funds and the municipalities and non-profit organizations are located in County Council District Nos. 1, 2, 4, 6, 7, 8, 10 and 11; 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 awards to various municipalities and non-profit organizations, in the total amount of \$998,966.00, for various projects in connection with the 2017 Community Development Supplemental Grant Program for the period 4/1/2017 - 12/31/2017 as follows:

- a) Lakewood Alive Development Corporation in the amount not-to-exceed \$50,000.00 for a Streetscaping Project.
- b) St. Clair-Superior Development Corporation in the amount not-to-exceed \$50,000.00 for the Bus Stop Safety Program.
- c) Tremont West Development Corporation in the amount not-to-exceed \$50,000.00 for the Lincoln Park Gazebo Project.
- d) Village of Glenwillow in the amount not-to-exceed \$50,000.00 for the Park Construction Project.
- e) Village of Mayfield in the amount not-to-exceed \$50,000.00 for the Band Shell Construction Project.
- f) City of Parma Heights in the amount not-to-exceed \$50,000.00 for the Cultural Center Rehabilitation Project.
- g) City of Rocky River in the amount not-to-exceed \$49,950.00 for the Safety Project.
- h) Fairfax Renaissance Development Corporation in the amount not-to-exceed \$50,000.00 for the Vacant Lot Repurpose Project.
- i) Village of Chagrin Falls in the amount not-to-exceed \$40,000.00 for the Safety Project.
- j) City of Bay Village in the amount not-to-exceed \$50,000.00 for the Generator Project.
- k) City of Euclid in the amount not-to-exceed \$50,000.00 for the Tree/Flower Planting Project.
- l) City of Fairview Park in the amount not-to-exceed \$50,000.00 for the pavilion Construction Project.
- m) One South Euclid in the amount not-to-exceed \$20,000.00 for the homeowner Exterior Maintenance Program.
- n) Bellair-Puritas Development Corporation in the amount not-to-exceed \$50,000.00 for the Lighting and Landscaping Project.
- o) City of Middleburg Heights in the amount not-to-exceed \$50,000.00 for the Road Resurfacing Project.
- p) City of Brooklyn Heights in the amount not-to-exceed \$39,798.00 for the purchase of a van.
- q) City of Maple Heights in the amount not-to-exceed \$50,000.00 for the Park Improvements Project.
- r) City of Broadview Heights in the amount not-to-exceed \$50,000.00 for the Median Redevelopment Project.

- s) Village of Cuyahoga Heights in the amount not-to-exceed \$50,000.00 for the Acquisition and Demolition Project.
- t) Kamms Corner Development Corporation in the amount not-to-exceed \$44,768.00 for the Parking Lot Repair Project.
- u) City of Richmond Heights in the amount not-to-exceed \$50,000.00 for the ADA Accessibility Project.
- v) Campus District, Inc. in the amount not-to-exceed \$4,450.00 for the purchase of a camera.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 28, 2017
Committee(s) Assigned: Community Development

Additional Sponsorship Requested: March 6, 2017

Additional Sponsorship Requested: March 8, 2017

Committee Report/Second Reading: March 14, 2017

Journal _____
_____, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0042

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Children and Family Services</p> <p>Co-sponsored by: Councilmember Conwell, Miller, Tuma, Brown and Baker</p>	<p>A Resolution authorizing amendments to agreements and contracts with various providers for neighborhood collaborative services for the Family to Family Neighborhood System of Care Program for the period 4/1/2014 - 3/31/2017 to extend the time period to 3/31/2018 and for additional funds; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Children and Family Services has recommended amendments to agreements and contracts with various providers for neighborhood collaborative services for the Family to Family Neighborhood System of Care Program for the period 4/1/2014 - 3/31/2017 to extend the time period to 3/31/2018 and for additional funds:

- i) Agreements:
 - a. No. AG1400049-01 with City of Lakewood in the amount not-to-exceed \$320,464.00.
 - b. No. AG1400050-01 with Parma City School District in the amount not-to-exceed \$320,464.00.
 - c. No. AG1400051-01 with Cuyahoga Metropolitan Housing Authority in the amount not-to-exceed \$320,464.00; and
- ii) Contracts:
 - a. No. CE1400076-01 with Catholic Charities Corporation – Fatima Family Center in the amount not-to-exceed \$320,464.00.
 - b. No. CE1400077-01 with Catholic Charities Corporation – St. Martin De Porres Family Center in the amount not-to-exceed \$320,464.00.
 - c. No. CE1400078-01 with The Harvard Community Services Center in the amount not-to-exceed \$320,464.00.

- d. No. CE1400079-01 with Murtis Taylor Human Services System – East Cleveland in the amount not-to-exceed \$480,696.00.
- e. No. CE1400080-01 with Murtis Taylor Human Services System – Mt. Pleasant in the amount not-to-exceed \$480,696.00.
- f. No. CE1400081-01 with The Centers for Families and Children in the amount not-to-exceed \$320,464.00.
- g. No. CE1400082-01 with University Settlement, Incorporated in the amount not-to-exceed \$320,464.00.
- h. No. CE1400083-01 with West Side Community House in the amount not-to-exceed \$320,464.00.
- i. No. CE1400084-01 with YMCA of Greater Cleveland in the amount not-to-exceed \$320,464.00.
- j. No. CE1400085-01 with East End Neighborhood House Association in the amount not-to-exceed \$320,464.00.

WHEREAS, the goals of the project are to build upon the neighborhood/ community resources in order to implement Family to Family models in order to empower at-risk families and to promote self-sufficiency; and

WHEREAS, this project is funded by Special Child Protection Allocation; 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 amendments to agreements and contracts with various providers for neighborhood collaborative services for the Family to Family Neighborhood System of Care Program for the period 4/1/2014 - 3/31/2017 to extend the time period to 3/31/2018 and for additional funds:

- i) Agreements:
 - a. No. AG1400049-01 with City of Lakewood in the amount not-to-exceed \$320,464.00.
 - b. No. AG1400050-01 with Parma City School District in the amount not-to-exceed \$320,464.00.
 - c. No. AG1400051-01 with Cuyahoga Metropolitan Housing Authority in the amount not-to-exceed \$320,464.00.

ii) Contracts:

- a. No. CE1400076-01 with Catholic Charities Corporation – Fatima Family Center in the amount not-to-exceed \$320,464.00.
- b. No. CE1400077-01 with Catholic Charities Corporation – St. Martin De Porres Family Center in the amount not-to-exceed \$320,464.00.
- c. No. CE1400078-01 with The Harvard Community Services Center in the amount not-to-exceed \$320,464.00.
- d. No. CE1400079-01 with Murtis Taylor Human Services System – East Cleveland in the amount not-to-exceed \$480,696.00.
- e. No. CE1400080-01 with Murtis Taylor Human Services System – Mt. Pleasant in the amount not-to-exceed \$480,696.00.
- f. No. CE1400081-01 with The Centers for Families and Children in the amount not-to-exceed \$320,464.00.
- g. No. CE1400082-01 with University Settlement, Incorporated in the amount not-to-exceed \$320,464.00.
- h. No. CE1400083-01 with West Side Community House in the amount not-to-exceed \$320,464.00.
- i. No. CE1400084-01 with YMCA of Greater Cleveland in the amount not-to-exceed \$320,464.00.
- j. No. CE1400085-01 with East End Neighborhood House Association in the amount not-to-exceed \$320,464.00.

SECTION 2. That the County Executive is hereby authorized to execute the amendments 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: February 28, 2017
Committee(s) Assigned: Health, Human Services & Aging

Additional Sponsorship Requested: March 8, 2017

Committee Report/Second Reading: March 14, 2017

Journal _____
_____, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0036

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s reappointment of Carol Dayton to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2017 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 173.011 provides for the designation of a private nonprofit entity as an “area agency on aging” to administer programs granted under the Older Americans Act of 1965; and

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

WHEREAS, the Western Reserve Area on Aging Board of Trustees is composed of twenty-one (21) members who serve three (3) year terms; 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 Carol Dayton, ACSW, LISW to be reappointed to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2017 – 12/31/2019; and

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

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

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive's reappointment of Carol Dayton to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2017 - 12/31/2019.

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

Deputy Clerk of Council Date

First Reading/Referred to Committee: February 28, 2017
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal CC025
March 14, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0037

<p>Sponsored by: County Executive Budish/Departments of Public Works and Health and Human Services/Cuyahoga Job and Family Services</p>	<p>A Resolution authorizing an amendment to Contract No. CE0600382-01 with K & Z Mutual Realty, LLC, as successor in interest to Mutual Investment Properties, LLC, for lease of office space located at 9830 Lorain Avenue, Cleveland, for the period 10/1/2006 - 9/30/2016 to extend the time period to 9/30/2021 and for additional funds in the amount not-to-exceed \$2,402,495.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Departments of Public Works and Health and Human Services/Cuyahoga Job and Family Services has recommended an amendment to Contract No. CE0600382-01 with K & Z Mutual Realty, LLC, as successor in interest to Mutual Investment Properties, LLC, for lease of office space located at 9830 Lorain Avenue, Cleveland, for the period 10/1/2006 - 9/30/2016 to extend the time period to 9/30/2021 and for additional funds in the amount not-to-exceed \$2,402,495.00; and

WHEREAS, the County desires to extend the term of the contract to September 30, 2021 in order to provide 31,362 square feet of office space for the Westside Neighborhood Family Service Center for the Department of Health and Human Services, Cuyahoga Job and Family Services; and

WHEREAS, this project is funded with Public Assistance 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. CE0600382-01 with K & Z Mutual Realty, LLC, as successor in interest to Mutual Investment Properties, LLC, for lease of office space

located at 9830 Lorain Avenue, Cleveland, for the period 10/1/2006 - 9/30/2016 to extend the time period to 9/30/2021 and for additional funds in the amount not-to-exceed \$2,402,495.00.

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

Deputy Clerk of Council

Date

First Reading/Referred to Committee: February 28, 2017
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC025
March 14, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0038

Sponsored by: County Executive Budish/Department of Information Technology	A Resolution authorizing an agreement with Ohio Department of Administrative Services in the amount not-to-exceed \$1,750,000.00 for Data Center Co-location Services for the period 1/1/2017 - 12/31/2021; 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 Information Technology has recommended an agreement with Ohio Department of Administrative Services in the amount not-to-exceed \$1,750,000.00 for Data Center Co-location Services for the period 1/1/2017 – 12/31/2021; and

WHEREAS, the purpose of this project is a partnership agreement to maintain co-location services at the State of Ohio Computer Center; and

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

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily 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 Ohio Department of Administrative Services in the amount not-to-exceed \$1,750,000.00 for Data Center Co-location Services for the period 1/1/2017 - 12/31/2021.

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

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

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

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

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

Yeas:

Nays:

County Council President		Date

County Executive		Date

Deputy Clerk of Council		Date

First Reading/Referred to Committee: February 28, 2017

Committee(s) Assigned: Finance & Budgeting

Journal CC025

March 14, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0041

<p>Sponsored by: County Executive Budish on behalf of Cuyahoga County Board of Developmental Disabilities</p>	<p>A Resolution authorizing various revenue generating agreements with Council for Economic Opportunities in Greater Cleveland for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Head Start and pre-school programs for the period 2/1/2017 - 1/31/2020; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive on behalf of Cuyahoga County Board of Developmental Disabilities (“CCBDD”) has submitted various revenue generating agreements with Council for Economic Opportunities in Greater Cleveland (“CEOGC”) for lease of space at various CCBDD Centers for operation of Head Start and pre-school programs for the period 2/1/2017 – 1/31/2020;

- 1) Green Road Services Center, located at 4329 Green Road, Highland Hills, will generate revenue of \$453,120.00 over the three years of its lease term; and
- 2) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland, will generate revenue of \$412,458.93 over the three years of its lease term; and

WHEREAS, the rent per square foot for the William Patrick Day Services Center is \$13.26 for the three years of the lease and the rent per square foot for the Green Road Services Center is \$16.00 for the three years of the lease; and

WHEREAS, the primary goals of these leases is for the CCBDD to: (a) continue to partner with CEOGC to enable it to continue to provide head start programs to children in Cuyahoga County; (b) further CCBDD’s mission of providing early childhood service to children with developmental disabilities; and (c) offset the CCBDD’s cost to operate the building, which would not be utilized to full capacity without the lease with CEOGC; and

WHEREAS, no CCBDD or County funds will be expended and rental payments will be made monthly, directly to CCBDD; and

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

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

SECTION 1. The Cuyahoga County Council hereby authorizes revenue generating agreements with Council for Economic Opportunities in Greater Cleveland for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Head Start and pre-school programs for the period 2/1/2017 - 1/31/2020:

- 1) Green Road Services Center, located at 4329 Green Road, Highland Hills, will generate revenue of \$453,120.00 over the three years of its lease term; and
- 2) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland, will generate revenue of \$412,458.93 over the three years of its lease term.

SECTION 2. That the County Executive is hereby authorized to execute the agreements 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 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 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

Deputy Clerk of Council

Date

First Reading/Referred to Committee: February 28, 2017

Committee(s) Assigned: Education, Environment & Sustainability

Journal CC025
March 14, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0043

Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Senior and Adult Services	A Resolution making an award on RQ38042 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship 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 Health and Human Services/Division of Senior and Adult Services has recommended an award on RQ38042 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship Services for the period 1/1/2017 – 12/31/2017; and

WHEREAS, the primary goal of this project is to provide legal guardians to serve as concerned, caring advocates and surrogate decision-makers for indigent persons who are deemed incompetent by the Cuyahoga County Probate Court and who have no appropriate family member or other person available to provide legal guardian services, including concerns of health, education, welfare and fiduciary responsibility; and

WHEREAS, this project is funded as follows: (a) 64% (\$353,920.00) from Health and Human Services Levy funds and (b) 36% (\$199,080.00) from Cuyahoga County Probate Court 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 RQ38042 to Lutheran Metropolitan Ministry in the amount not-to-exceed \$553,000.00 for Adult Guardianship Services 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 said award and this Resolution.

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

_____	_____
Deputy Clerk of Council	Date

First Reading/Referred to Committee: February 28, 2017
Committee(s) Assigned: Health, Human Services & Aging

Journal CC025
March 14, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0023

Sponsored by: County Executive Budish	A Resolution confirming the County Executive's appointment of The Honorable Anthony J. DiCicco to serve on the Cuyahoga County Planning Commission representing the Hillcrest Region for the term 1/1/2017 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 713.22 provides for the organization and maintenance of a county planning commission; and,

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

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

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

WHEREAS, the County Executive has nominated The Honorable Anthony J. DiCicco to serve on the Cuyahoga County Planning Commission representing the Hillcrest Region for the term 1/1/2017 - 12/31/2019; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive's appointment of The Honorable Anthony J. DiCicco to serve on the Cuyahoga County Planning Commission representing the Hillcrest Region for the term 1/1/2017 - 12/31/2019.

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

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

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

Yeas:

Nays:

County Council President

Date

Deputy Clerk of Council

Date

First Reading/Referred to Committee: February 14, 2017

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

Committee Report/Second Reading: February 28, 2017

Journal CC025

March 14, 2017

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0025

Sponsored by: County Executive Budish Co-sponsored by: Councilmember Brown	A Resolution confirming the County Executive's reappointment of various individuals to serve on the Cuyahoga Community College Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ohio Revised Code Chapter 3354.05, the former Cuyahoga County Board of Commissioners created a board of trustees of a community college district; and

WHEREAS, the Cuyahoga Community College Board of Trustees in collaboration with the College President are charged with fulfilling the goals set forth in the College Mission Statement; and

WHEREAS, members of the Cuyahoga Community College Board of Trustees shall be appointed to serve a five (5) year term; and

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

WHEREAS, County Executive Armond Budish has nominated the following individuals for reappointment to serve on the Cuyahoga Community College Board of Trustees for various terms:

1. J. David Heller for the term 3/27/2017 - 3/26/2022;
2. Victor A. Ruiz for the term 1/18/2017 - 1/17/2022; 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 the following individuals to serve on the Cuyahoga Community College Board of Trustees for various terms:

1. J. David Heller for the term 3/27/2017 - 3/26/2022; and
2. Victor A. Ruiz for the term 1/18/2017 - 1/17/2022.

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

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

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

Yeas:

Nays:

County Council President

Date

Deputy Clerk of Council

Date

First Reading/Referred to Committee: February 14, 2017
Committee(s) Assigned: Human Resources, Appointments & Equity

Additional Sponsorship Requested: February 21, 2017

Committee Report/Second Reading: February 28, 2017

Journal CC025
March 14, 2017