



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, OCTOBER 10, 2017**  
**CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS**  
**C. ELLEN CONNALLY COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR**  
**5:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
  - a) September 26, 2017 Committee of the Whole Meeting (See Page 10)
  - b) September 26, 2017 Regular Meeting (See Page 12)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**
  - a) **COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING**
    - 1) R2017-0168: A Resolution adopting the 2017 Cuyahoga County Sustainability Plan in accordance with Section 202.18 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective. (See Page 31)

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

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

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

- 1) R2017-0167: A Resolution authorizing the Veterans Service Commission to issue Ohio veterans identification cards to qualified individuals, and declaring the necessity that this Resolution become immediately effective. (See Page 51)

Sponsors: Councilmembers Brady, Tuma, Miller, Schron,  
Gallagher, Brown, Hairston, Baker and Jones

Committee Assignment and Chair: Finance & Budgeting –  
Miller

- 2) R2017-0169: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$250,000.00 and awarding a Casino Revenue Fund grant in the amount of \$500,000.00 to Northeast Ohio Neighborhood Health Services, Inc. for the benefit of the New Eastside Market Project, located at 10505 St. Clair Avenue in the City of Cleveland; authorizing the County Executive and Director of Development or his/her designee to prepare all documents to effectuate said loan and grant; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and grant and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 54)

Sponsors: Councilmembers Conwell, Hairston, Simon, Jones,  
Brady and Gallagher

Committee Assignment and Chair: Community Development  
– Hairston

- 3) R2017-0170: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for the conservation of

ecologically significant areas located within the Cuyahoga River Valley, and declaring the necessity that this Resolution become immediately effective. (See Page 57)

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

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

- 4) R2017-0171: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Brook Park for the conservation of ecologically significant areas in the Abram Creek City-wide Greenway Trail – Phase I in the City of Brook Park, and declaring the necessity that this Resolution become immediately effective. (See Page 60)

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

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

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

- 1) O2017-0005: An Ordinance amending Section 303.05 of the Cuyahoga County Code to establish the process for promotional appointments. (See Page 63)

Sponsors: Councilmembers Brown and Miller

- 2) O2017-0006: An Ordinance enacting Chapter 721 of the Cuyahoga County Code to authorize a Carryout Bag Fee for Environmental Remediation. (See Page 67)

Sponsors: Councilmembers Simon and Miller

**10. LEGISLATION INTRODUCED BY EXECUTIVE**

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

- 1) R2017-0179: 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 73)

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

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

- 1) R2017-0180: A Resolution authorizing an amendment to an agreement with Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the period 10/24/2017 - 12/31/2033 to add steam and chilled water services for the Virgil E. Brown Building, located at 1641 Payne Avenue, Cleveland, effective 10/24/2017; 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 88)

Sponsor: County Executive Budish/Department of Public Works

- 2) R2017-0181: A Resolution authorizing an amendment to Contract No. CE1000877-01 with Poli, Inc. for lease of space for the Westside Regional Probation Office, located at 5361 Pearl Road, Parma, for the period 9/1/2010 - 8/31/2017 to extend the time period to 8/31/2022 and for additional funds in the amount not-to-exceed \$264,300.00; 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 92)

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

- 3) R2017-0182: A Resolution adopting the 2018/2019 Biennial Operating Budget and Capital Improvements Program, and declaring the necessity that this Resolution become immediately effective. (See Page 95)

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

- 4) R2017-0183: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective. (See Page 97)

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

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

- 1) R2017-0176: A Resolution accepting a loan in the amount of \$225,000.00 from Ohio Public Works Commission to finance the Broadrock Drill Drop Project in the City of Parma; authorizing the County Executive to execute the agreement and all other documents required in connection with said loan and this Resolution, and declaring the necessity that this Resolution become immediately effective. (See Page 100)

Sponsor: County Executive Budish/Department of Public Works

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

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

- 1) R2017-0174: A Resolution authorizing the County Executive to accept and approve various dedications of land in connection with Permanent Parcel No. 736-12-011 located in the City of Shaker Heights; authorizing the County Executive to execute the final Plat in connection with said dedications; and declaring the necessity that this Resolution become immediately effective. (See Page 102)

Sponsor: County Executive Budish/Department of Public Works

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

- 2) R2017-0175: A Resolution authorizing a second amendment to Contract No. CE1300548-01 with MariSupHam, LLC for lease of office space in the Marion Building, located at 1276 West 3<sup>rd</sup> Street, Cleveland, for the period 12/1/2013 - 10/31/2017 to extend the time period to 10/31/2018 and for additional funds in the amount not-to-exceed \$1,219,536.00; 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 105)

Sponsor: County Executive Budish/Department of Public Works

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

- 3) R2017-0177: A Resolution making awards on RQ39790 to various providers, in the total amount not-to-exceed \$2,328,000.00, for various real estate review and appraisal services in connection with the 2018 Sexennial Reappraisal for the period 7/17/2017 - 5/31/2018; authorizing the County Executive to execute the master contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 108)

Sponsor: County Executive Budish/Fiscal Officer

Committee Assignment and Chair: Finance & Budgeting – Miller

- 4) R2017-0178: A Resolution authorizing an amendment to Contract No. CE1400326-01 with United Healthcare Services, Inc. for group healthcare benefits including medical benefit management services for County employees and their eligible dependents and for Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2015 - 12/31/2017 for

additional funds in the amount not-to-exceed \$12,200,000.00; 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 113)

Sponsor: County Executive Budish/Department of Human Resources

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

**e) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION**

- 1) R2017-0154: A Resolution confirming the County Executive's appointment of Michael P. Foley to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/16/2017 - 10/15/2020, and declaring the necessity that this Resolution become immediately effective. (See Page 116)

Sponsor: County Executive Budish

- 2) R2017-0155: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 118)

- i) Appointments for an unexpired term ending 6/30/2020:

- a) Sheila Wright
    - b) Grace Gallucci
    - c) C. Jay Matthews

- ii) Reappointment:

- a) Kim Shelnick for the term 7/1/2017 - 6/30/2020

Sponsor: County Executive Budish

- 3) R2017-0159: A Resolution authorizing a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary

Sewerage Systems, located in County Sewer District No. 21; 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 121)

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

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

- 1) O2017-0004: An Ordinance amending Section 501.15 of the Cuyahoga County Code to modify the requirements of contractors, and declaring the necessity that this Ordinance become immediately effective. (See Page 124)

Sponsor: County Executive Budish/Fiscal Officer

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

**11. MISCELLANEOUS COMMITTEE REPORTS**

**12. MISCELLANEOUS BUSINESS**

**13. PUBLIC COMMENT UNRELATED TO AGENDA**

**14. ADJOURNMENT**

NEXT MEETINGS

COMMITTEE OF THE WHOLE  
(2018/2019 Budget Session):

MONDAY, OCTOBER 16, 2017  
1:00 PM / COUNCIL CHAMBERS

COMMITTEE OF THE WHOLE  
(2018/2019 Budget Sessions):

THURSDAY, OCTOBER 19, 2017  
10:00 AM AND 2:00 PM /  
COUNCIL CHAMBERS

COMMITTEE OF THE WHOLE  
(2018/2019 Budget Session):

MONDAY, OCTOBER 23, 2017  
1:00 PM / COUNCIL CHAMBERS

COMMITTEE OF THE WHOLE  
(2018/2019 Budget Session):

TUESDAY, OCTOBER 24, 2017  
1:00 PM / COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, OCTOBER 24, 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 5<sup>th</sup> 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, SEPTEMBER 26, 2017  
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS  
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR  
2:30 PM

### 1. CALL TO ORDER

**Council President Brady called the meeting to order at 2:31 p.m.**

### 2. ROLL CALL

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

### 3. PUBLIC COMMENT RELATED TO AGENDA

**There were no public comments given related to the agenda.**

### 4. DISCUSSION / EXECUTIVE SESSION:

#### a) Collective bargaining matters, including:

- 1) a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 1746, AFL-CIO, representing approximately 1,220 employees in various classifications in the Departments of Health and Human Services and Public Works for the period 7/1/2017 - 6/30/2020.

**A motion was made by Mr. Gallagher, seconded by Mr. Miller and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing collective bargaining matters and for no other purpose whatsoever. Executive Session was then called to order by Council President Brady at 2:34 p.m. The following Councilmembers were present: Jones,**

**Brown, Hairston, Simon, Baker, Miller, Tuma, Gallagher and Brady. The following additional attendees were present: Director of Law Robert Triozzi, Director of Human Resources Employee and Labor Relations and Chief Labor Counsel Egdilio Morales, Assistant Law Director Todd Ellsworth, Assistant Law Director Jonathan Scandling and Special Counsel Michael King. At 2:57 p.m., Executive Session was adjourned without objection and Council President Brady then reconvened the meeting.**

**5. MISCELLANEOUS BUSINESS**

**There was no miscellaneous business.**

**6. PUBLIC COMMENT UNRELATED TO AGENDA**

**Mr. Dwight Yancy addressed Council regarding an issue concerning his elderly father.**

**7. ADJOURNMENT**

**With no further business to discuss, Council President Brady adjourned the meeting at 2:59 p.m., without objection.**



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, SEPTEMBER 26, 2017  
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS  
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR  
3:00 PM**

**1. CALL TO ORDER**

**Council President Brady called the meeting to order at 3:00 p.m.**

**2. ROLL CALL**

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

**A motion was made by Mr. Miller, seconded by Ms. Brown and approved by unanimous vote to excuse Ms. Conwell from the meeting.**

**3. PLEDGE OF ALLEGIANCE**

**4. SILENT MEDITATION**

**Council President Brady asked that a moment of silent meditation be dedicated to our fellow U.S. citizens and hurricane victims in Puerto Rico as they struggle to get their lives back in order.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**There were no public comments given related to the agenda.**

**6. APPROVAL OF MINUTES**

- a) September 12, 2017 Regular Meeting

**A motion was made by Mr. Schron, seconded by Ms. Brown and approved by unanimous vote to approve the minutes of the September 12, 2017 Regular meeting.**

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

**There were no announcements from Council President Brady.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

**County Executive Budish recognized and thanked Chief Community Safety and Protection Officer Frank Bova for his dedication and service to Cuyahoga County and wished him well in his new position as Chief at The MetroHealth Medical Center.**

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2017-0167: A Resolution authorizing the Veterans Service Commission to issue Ohio veterans identification cards to qualified individuals, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Brady, Tuma, Miller, Schron, Gallagher, Brown and Hairston

**Council President Brady referred Resolution No. R2017-0167 to the Finance & Budgeting Committee.**

- 2) R2017-0168: A Resolution adopting the 2017 Cuyahoga County Sustainability Plan in accordance with Section 202.18 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective.

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

**Council President Brady referred Resolution No. R2017-0168 to the Education, Environment & Sustainability Committee.**

- 3) R2017-0169: A Resolution authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$250,000.00 and awarding a

Casino Revenue Fund grant in the amount of \$500,000.00 to Northeast Ohio Neighborhood Health Services, Inc. for the benefit of the New Eastside Market Project, located at 10505 St. Clair Avenue in the City of Cleveland; authorizing the County Executive and Director of Development or his/her designee to prepare all documents to effectuate said loan and grant; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and grant and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Conwell and Hairston

**Council President Brady referred Resolution No. R2017-0169 to the Community Development Committee.**

- 4) R2017-0170: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for the conservation of ecologically significant areas located within the Cuyahoga River Valley, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

**Council President Brady referred Resolution No. R2017-0170 to the Education, Environment & Sustainability Committee.**

- 5) R2017-0171: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Brook Park for the conservation of ecologically significant areas in the Abram Creek City-wide Greenway Trail – Phase I in the City of Brook Park, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission **and Councilmember Miller**

**Council President Brady referred Resolution No. R2017-0171 to the Education, Environment & Sustainability Committee.**

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

**A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2017-0141, R2017-0151 and R2017-0152.**

- 1) R2017-0141: A Resolution adopting the 2018-2022 Cuyahoga County Department of Health and Human Services Strategic Plan in accordance with Section 202.10 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Conwell and Miller and County Executive Budish/Department of Health and Human Services

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

**On a motion by Ms. Brown with a second by Mr. Miller, Resolution No. R2017-0141 was considered and adopted by unanimous vote.**

- 2) R2017-0151: 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 Mr. Hairston, Resolution No. R2017-0151 was considered and adopted by unanimous vote.**

- 3) R2017-0152: A Resolution determining the services and programs that shall be provided and funded from the Veterans Services Fund in 2017; authorizing payments to various providers, in the total amount of \$461,117.00, for said services and programs for the period ending 12/31/2017; authorizing the County Executive to negotiate and execute any necessary agreements, contracts or other documents for

same; and declaring the necessity that this Resolution become immediately effective:

- i) Cuyahoga Community College, Veterans Services and Program Office for scholarships for veterans residing in Cuyahoga County in the amount of \$46,112.00.
- ii) Towards Employment Career Pathway Services for job readiness training, job search and placement, coaching and support for professional development of low-income veterans in the amount of \$30,000.00.
- iii) The Cuyahoga County Office of Homeless Services for the Supportive Services for Veterans Families Program and for move-in kits for veterans entering permanent supportive housing in Cuyahoga County in the amount of \$85,005.00.
- iv) The Legal Aid Society of Cleveland for the Legal Services for U.S. Veterans Program in the amount of \$85,000.00.
- v) United Way 2-1-1 for the Help2Veterans Program in the amount of \$70,000.00.
- vi) Joseph's Home for wraparound services and transition to permanent housing for medically fragile, homeless veterans in Cuyahoga County in the amount of \$40,000.00.
- vii) Cuyahoga County Public Library for the GetWorkerFIT Program in the amount of \$50,000.00.
- viii) The Cuyahoga County Land Reutilization Corporation to rehabilitate houses and provide financial counseling for veterans in the amount of \$50,000.00.
- ix) The Chagrin Falls Historical Society for the restoration of the Chagrin Falls Civil War Memorial in the amount of \$5,000.00.

Sponsors: Councilmembers Brady, Schron, Miller, Hairston,  
**Simon, Baker, Tuma, Gallagher, Conwell, Jones and Brown**

Committee Assignment and Chair: Economic Development &  
Planning – Schron

**On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2017-0152 was considered and adopted by unanimous vote.**

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

**A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2017-0172 and R2017-0173.**

- 1) R2017-0172: 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 No. R2017-0153 dated 9/12/2017 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 Mr. Tuma, Resolution No. R2017-0172 was considered and adopted by unanimous vote.**

- 2) R2017-0173: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 1746, AFL-CIO, representing approximately 1,220 employees in various classifications in the Departments of Health and Human Services and Public Works for the period 7/1/2017 - 6/30/2020; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; authorizing the County Executive to execute the agreement and all other documents consistent

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

Sponsor: County Executive Budish/Departments of Law, Health and Human Services and Public Works

**On a motion by Ms. Brown with a second by Mr. Brady, Resolution No. R2017-0173 was considered and adopted by unanimous vote.**

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

- 1) R2017-0174: A Resolution authorizing the County Executive to accept and approve various dedications of land in connection with Permanent Parcel No. 736-12-011 located in the City of Shaker Heights; authorizing the County Executive to execute the final Plat in connection with said dedications; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

**Council President Brady referred Resolution No. R2017-0174 to the Public Works, Procurement & Contracting Committee.**

- 2) R2017-0175: A Resolution authorizing a second amendment to Contract No. CE1300548-01 with MariSupHam, LLC for lease of office space in the Marion Building, located at 1276 West 3<sup>rd</sup> Street, Cleveland, for the period 12/1/2013 - 10/31/2017 to extend the time period to 10/31/2018 and for additional funds in the amount not-to-exceed \$1,219,536.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

**Council President Brady referred Resolution No. R2017-0175 to the Public Works, Procurement & Contracting Committee.**

- 3) R2017-0176: A Resolution accepting a loan in the amount of \$225,000.00 from Ohio Public Works Commission to finance

the Broadrock Drill Drop Project in the City of Parma; authorizing the County Executive to execute the agreement and all other documents required in connection with said loan and this Resolution, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

**Council President Brady referred Resolution No. R2017-0176 to the Public Works, Procurement & Contracting Committee.**

- 4) R2017-0177: A Resolution making awards on RQ39790 to various providers, in the total amount not-to-exceed \$2,328,000.00, for various real estate review and appraisal services in connection with the 2018 Sexennial Reappraisal for the period 7/17/2017 - 5/31/2018; authorizing the County Executive to execute the master contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Fiscal Officer

**Council President Brady referred Resolution No. R2017-0177 to the Finance & Budgeting Committee.**

- 5) R2017-0178: A Resolution authorizing an amendment to Contract No. CE1400326-01 with United Healthcare Services, Inc. for group healthcare benefits including medical benefit management services for County employees and their eligible dependents and for Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2015 - 12/31/2017 for additional funds in the amount not-to-exceed \$12,200,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Human Resources

**Council President Brady referred Resolution No. R2017-0178 to the Human Resources, Appointments & Equity Committee.**

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2017-0154: A Resolution confirming the County Executive's appointment of Michael P. Foley to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/16/2017 - 10/15/2020, 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. R2017-0154 into the record.**

**This item will move to the October 10, 2017 Council meeting agenda for consideration for third reading adoption.**

- 2) R2017-0155: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for various terms, and declaring the necessity that this Resolution become immediately effective:

- i) Appointments for an unexpired term ending 6/30/2020:

- a) Sheila Wright
- b) Grace Gallucci
- c) C. Jay Matthews

- ii) Reappointment:

- a) Kim Shelnick for the term 7/1/2017 - 6/30/2020

Sponsor: County Executive Budish

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

**Clerk Schmotzer read Resolution No. R2017-0155 into the record.**

**This item will move to the October 10, 2017 Council meeting agenda for consideration for third reading adoption.**

- 3) R2017-0159: A Resolution authorizing a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary Sewerage Systems, located in County Sewer District No. 21; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

**Clerk Schmotzer read Resolution No. R2017-0159 into the record.**

**This item will move to the October 10, 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. R2017-0103, R2017-0111, R2017-0112, R2017-0149, R2017-0156, R2017-0157, R2017-0158, R2017-0160, R2017-0161, R2017-0162, R2017-0163, R2017-0164 and R2017-0166.**

- 1) R2017-0103: A Resolution authorizing a Purchase and Sale Agreement, in the amount of \$9,250,000.00, and lease backs with City of Cleveland for the property commonly known as the City of Cleveland Police Department Headquarters, located at 1300 Ontario Street, Cleveland, Ohio; authorizing the County Executive to take all necessary actions and to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

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

**On a motion by Mr. Gallagher with a second by Mr. Schron, Resolution No. R2017-0103 was considered and adopted by unanimous vote.**

- 2) R2017-0111: A Resolution authorizing a revenue generating agreement with City of Cleveland for prisoner board and care and other jail services at a per diem rate of \$99.00 and a one-time deposit of \$5,603,413.98, effective 4/1/2017; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

**Mr. Gallagher introduced a proposed substitute on the floor to Resolution No. R2017-0111. Discussion ensued.**

**A motion was then made by Mr. Gallagher, seconded by Mr. Schron and approved by unanimous vote to accept the proposed substitute.**

**On a motion by Mr. Gallagher with a second by Ms. Brown, Resolution No. R2017-0111 was considered and adopted by unanimous vote, as substituted.**

- 3) R2017-0112: A Resolution authorizing a Lease Agreement with City of Bedford Heights in the amount of \$10.00 for lease of the Bedford Heights Jail, located at 5661 Perkins Road, Bedford Heights, for operation of County jail facilities for the period 7/1/2017 - 6/30/2027; authorizing the County to make improvements to the Bedford Heights Jail in the amount not-to-exceed \$500,000.00; authorizing the County Executive to execute the Lease Agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Fiscal Officer/Office of Budget and Management on behalf of County Sheriff **and Councilmember Brown**

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

**Mr. Gallagher introduced a proposed substitute on the floor to Resolution No. R2017-0112. Discussion ensued.**

**A motion was then made by Mr. Gallagher, seconded by Mr. Schron and approved by unanimous vote to accept the proposed substitute.**

**On a motion by Mr. Gallagher with a second by Mr. Schron, Resolution No. R2017-0112 was considered and adopted by unanimous vote, as substituted.**

- 4) R2017-0149: A Resolution authorizing a contract with OhioGuidestone in the amount not-to-exceed \$1,153,828.00 for community-based treatment center management services for the period 7/1/2017 - 6/30/2018; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Gallagher with a second by Mr. Hairston, Resolution No. R2017-0149 was considered and adopted by unanimous vote.**

- 5) R2017-0156: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cuyahoga County Community-Based Correctional Facility Governing Board for various terms, and declaring the necessity that this Resolution become immediately effective:

i) Appointments for an unexpired term ending 12/31/2018:

- a) Valeria A. Harper  
b) Crystal L. Bryant

ii) Reappointment for the term 1/1/2018 - 12/31/2020:

- a) Alfonso P. Sanchez

Sponsor: County Executive Budish

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

**On a motion by Ms. Brown with a second by Mr. Hairston, Resolution No. R2017-0156 was considered and adopted by unanimous vote.**

- 6) R2017-0157: A Resolution declaring that public convenience and welfare requires roadway and traffic signal improvements along Warrensville Center Road, Emery Road, Richmond Road, Northfield Road and Miles Road in the Village of North Randall and City of Warrensville Heights; total estimated project cost \$1,552,479.65; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Tuma with a second by Ms. Brown, Resolution No. R2017-0157 was considered and adopted by unanimous vote.**

- 7) R2017-0158: A Resolution making an award on RQ40256 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$3,164,600.00 for the 2017 Sewer Repair Program in various County Sewer Districts for the period 11/1/2017 - 10/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Tuma with a second by Mr. Schron, Resolution No. R2017-0158 was considered and adopted by unanimous vote.**

- 8) R2017-0160: A Resolution authorizing an amendment to Agreement No. AG1700012-01 with Northeast Ohio Regional Sewer District for disposal of wastewater sewer grit for the period 6/1/2016 - 5/31/2018 for additional funds in the amount not-to-exceed \$800,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2017-0160 was considered and adopted by unanimous vote.**

- 9) R2017-0161: A Resolution making awards to various municipalities, each in the amount not-to-exceed \$150,000.00, for the SBA-Municipal-County Small Business Financing Initiative Pilot #2 Program for the period 10/1/2017 - 9/30/2019; 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 Cleveland Heights
- ii) City of Fairview Park
- iii) City of Lakewood
- iv) City of Maple Heights

Sponsors: County Executive Budish/Department of Development and Councilmembers Miller, Jones, Baker, Tuma and Hairston

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2017-0161 was considered and adopted by unanimous vote.**

- 10) R2017-0162: A Resolution authorizing an Economic Development Fund Place-based/Mixed-use Loan in the amount not-to-exceed \$2,500,000.00 to Link59 Leverage Lender, LLC for the benefit of the Phoenix Building Project, located at the intersection of East 61<sup>st</sup> Street and Euclid Avenue, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2017-0162 was considered and adopted by unanimous vote.**

- 11) R2017-0163: A Resolution authorizing amendments to contracts with various providers for various services in connection with the Workforce Innovation and Opportunity Act for the period 7/1/2016 - 6/30/2017 to extend the time period to 6/30/2018 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) No. CE1600240-01 with Mature Services, Inc. in the amount not-to-exceed \$250,000.00 for mature job seeker services and implementation of the ENCORE Program.
- ii) No. CE1600241-01 with Towards Employment, Inc. in the amount not-to-exceed \$100,000.00 for job seeker services for applicants with felony backgrounds.
- iii) No. CE1600242-01 with United Labor Agency, Inc. in the amount not-to-exceed \$3,620,368.00 for operation of the Workforce Service Center, job

seekers and employer services, and management of the On-the-Job Training Program.

Sponsors: County Executive Budish/Department of Workforce Development in partnership with City of Cleveland/Cuyahoga County Workforce Development Board **and Councilmembers Simon, Baker, Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown, Hairston and Brady**

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

**On a motion by Ms. Simon with a second by Ms. Brown, Resolution No. R2017-0163 was considered and adopted by unanimous vote.**

- 12) R2017-0164: A Resolution authorizing an amendment to Agreement No. AG1400121-01 with City of Cleveland for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 10/20/2014 - 10/19/2017 to extend the time period to 10/19/2019 and for additional funds in the amount not-to-exceed \$1,200,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Safety and Justice Services/Cuyahoga Emergency Communications System

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

**On a motion by Mr. Gallagher with a second by Ms. Brown, Resolution No. R2017-0164 was considered and adopted by unanimous vote.**

- 13) R2017-0166: A Resolution making awards on RQ38919 to various providers, in the total amount not-to-exceed \$9,565,386.00, for expansion of Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2017 - 7/31/2020; waiving the requirement in County Code Section 501.15(A)(2) with respect to Cleveland Municipal School District and Euclid City School District; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring

the necessity that this Resolution become immediately effective:

- i) Menorah Park Center for Senior Living Bet Moschav Zekenim Hadati
- ii) Advanced Solutions for Education, Inc. dba Horizon Child Development Center – Cleveland
- iii) HLC Euclid, LLC dba Horizon Learning Centers – Euclid
- iv) Horizon Education Centers – Market Square Horizon Education Center
- v) Horizon Education Centers – Old Brooklyn
- vi) Robbie Lawrence-Willis – Little Achiever’s Learning Center
- vii) Murtis Taylor Human Services System – Glenville/KRT
- viii) Murtis Taylor Human Services System – Mt. Pleasant Child Enrichment Center
- ix) Salvation Army of Greater Cleveland
- x) St. Peter’s Child Care Center Inc.
- xi) Catholic Charities Corporation – Early Childhood Center at Arbor Park
- xii) Catholic Charities Corporation – Early Learning Program St. Ignatius
- xiii) Catholic Charities Corporation – Rainbow Terrace Head Start
- xiv) The Centers for Families and Children
- xv) Kids and Such, Inc. dba Creative Kids
- xvi) Council for Economic Opportunities in Greater Cleveland – William Patrick Day Early Learning Center
- xvii) Council for Economic Opportunities in Greater Cleveland – Willard head Start Center
- xviii) Council for Economic Opportunities in Greater Cleveland – Puritas Head Start Center
- xix) Council for Economic Opportunities in Greater Cleveland – Green Road Early Learning Center
- xx) Council for Economic Opportunities in Greater Cleveland – George Forbes Early Learning Center
- xxi) Council for Economic Opportunities in Greater Cleveland – Carl B. Stokes Head Start Center
- xxii) Bedford City School District
- xxiii) Berea City School District
- xxiv) Cleveland Heights – University Heights City School District – Noble Elementary School

- xxv) Cleveland Heights – University Heights City School District – Gearity Elementary School
- xxvi) Cleveland Heights – University Heights City School District – Oxford Elementary School
- xxvii) Euclid City School District
- xxviii) Garfield Heights City Schools
- xxix) Lakewood City Schools
- xxx) Maple Heights City School District
- xxxi) Warrensville Heights City School District
- xxxii) Cleveland Municipal School District – Clark Elementary School
- xxxiii) Cleveland Municipal School District – Garfield Elementary School
- xxxiv) Cleveland Municipal School District – Sunbeam Elementary School
- xxxv) Cleveland Municipal School District – Willow Elementary School
- xxxvi) Cleveland Municipal School District – William Cullen Bryant Elementary School

Sponsors: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood and Councilmembers **Brown, Hairston, Simon, Baker, Miller, Tuma, Gallagher, Schron, Conwell, Jones and Brady**

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

**On a motion by Ms. Simon with a second by Mr. Hairston, Resolution No. R2017-0166 was considered and adopted by unanimous vote.**

11. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Hairston reported that the Community Development Committee will meet on Monday, October 2, 2017 at 10:00 a.m.**

**Mr. Miller reported that due to the 2016 Post-Audit Conference scheduled for Monday, October 2, 2017 at 1:00 p.m., the Finance & Budgeting Committee will meet on Monday, October 2, 2017 at 2:00 p.m.**

**Mr. Tuma reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, October 4, 2017 at 10:00 a.m.**

**Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, October 4, 2017 at 3:00 p.m.**

**Mr. Miller reported that the Regional Transportation Advisory Subcommittee will meet on Thursday, October 12, 2017 at 1:00 p.m.**

**12. MISCELLANEOUS BUSINESS**

**Councilmembers thanked Mr. Bova for his service to Cuyahoga County and wished him well in his new position at The MetroHealth Medical Center.**

**Mr. Miller reported that he and Ms. Conwell attended the Health Improvement Partnership Forum and that he also attended the Say Yes to Education Forum.**

**13. PUBLIC COMMENT UNRELATED TO AGENDA**

**The following individuals addressed Council:**

- a) Mr. Rico Dancy regarding equal access issues for the deaf community;**
- b) Reverend Pamela Pinkney Butts regarding various Sunday church services that she would be holding; and**
- c) Ms. Loh regarding homelessness and domestic violence issues.**

**14. ADJOURNMENT**

**With no further business to discuss, Council President Brady adjourned the meeting at 4:05 p.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0168

Sponsored by: <b>Councilmembers Miller, Simon and Conwell</b>	<b>A Resolution</b> adopting the 2017 Cuyahoga County Sustainability Plan in accordance with Section 202.18 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 202.18 of the Cuyahoga County Code requires the Director of Sustainability to prepare and present to Council a proposed five-year Sustainability Plan for actions to be carried out by the County itself, and in partnership with other public and private agencies and organizations, for the purpose of achieving the objectives outlined in Subsection 202.18(A)(2); and,

WHEREAS, Section 202.18 further requires the Director of Sustainability to review and revise the Sustainability Plan as needed but not less than once every five years in accordance with the Cuyahoga County Code; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to efficiently begin implementation of the plan for sustainability throughout Cuyahoga County.

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

**SECTION 1.** The 2017 Cuyahoga County Sustainability Plan, including all changes thereto approved by Council, is hereby adopted in accordance with Section 202.18 of the Cuyahoga County Code. The final plan adopted herein includes such changes the Council and the County Executive have agreed upon prior to adoption.

**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.





## Department of Sustainability Proposed 5 year Strategic Plan

Dear Council President Brady, Sustainability Chair Simon and members of Council,

In April, 2016, County Council passed Ordinance # 2016-0008 requiring the creation of a 5-year Sustainability Strategic Plan. We in the Department of Sustainability and the Administration wholeheartedly supported this idea. especially as the Department was a relatively new entity in County government, had a fairly large and broad mandate, but with a small, yet passionate staff.

We know that in order to be successful, we need to leverage as many resources as possible, cooperate with as many agencies, businesses and members of the community as we can and generally organize ourselves in a way that collaborates with the great array of partners in Cuyahoga County who seek environmentally sustainable solutions to climate change, clean energy development, water quality safety, transportation alternatives and overall more green environs.

In our first 2.5 years of existence we think have worked in that manner, but also believe that the process of developing this plan has been helpful in honing the work we should be engaged in for the next phase of our Department's life.

I am available for any individual meetings or calls regarding this proposal and of course for hearings you may have regarding the project.

Thanks for your time, consideration and insights,

Sincerely,

Mike Foley

September 1, 2017

## **Department Strategy 1:** Work collaboratively with our partners to reduce greenhouse gas emissions in the geographic confines of Cuyahoga County

### **Initiatives:**

- 1:** Join with other cities and organizations to formulate a comprehensive Cuyahoga County Climate Change Action Plan that deals with both mitigation and adaptation by August 2018.
- 2:** Join with other cities and organizations by declaring an adherence to the Paris Climate Accords by September 1, 2017.
- 3:** Determine a measurement and reporting protocol by January of 2018.
- 4:** Measure all greenhouse gas emissions in Cuyahoga County by the spring of 2018 and set realistic greenhouse gas reduction goals and strategies by July 2018.
- 5:** Devise a dashboard that details comparative greenhouse gas emissions (by sector and geographically) by September of 2018.

### **County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

### **Performance Measures**

GHG emission levels

## **Department Strategy 2:** Increase resources for clean energy and environmentally sustainable programs, projects, and practices in Cuyahoga County

### **Initiatives:**

- 1:** Devise a variety of streams of funding for programs, projects, and practices
  - a. Convene a stakeholders group with the goal of establishing an ongoing Sustainability fund with adequate resources similar to the **Arts and Culture Fund** which has a consistent source of revenue and governance.
  - b. Help create a **Clean Energy Pre-Development Fund** for business/local government/institutional/residential sectors to affordably help analyze, measure and communicate renewable and energy efficiency measures.
  - c. Rethink/re-develop a **clean energy loan and/or grant program** for business/local government/institutional/residential use.
  
- 2:** Utilize devised funding streams to support a variety of programs, projects, and services that address at least one of the following three anticipated outcomes:
  - a. Reduction in greenhouse gas emissions within Cuyahoga County
  - b. Reduction in cost of clean energy
  - c. Increased business and workforce opportunities in sustainability-related industries (e.g. solar, wind, energy efficiency)

### **County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

### **Performance Measures**

Amount of funding available (\$)

# of projects proposed

# of projects funded

# of projects in process of being completed (What does this mean?)

# of projects completed

**Department Strategy 3:** Increase access to alternative methods of transportation for residents and visitors to Cuyahoga County to enhance air quality and the environmental health of the community

**Initiatives:**

- 1:** Work with NOACA, RTA, Clevelanders for Public Transportation and others to help create a bigger vision for transportation alternatives and help municipalities develop more projects to transform the transportation system.
- 2:** Encourage bike and pedestrian infrastructure on County-funded projects (e.g. bike lanes, signal systems, timing).
- 3:** Encourage bike and pedestrian infrastructure in private developments where new construction or renovation occurs.
- 4:** Apply for and leverage grant funding and existing county resources to increase the accessibility to and utilization of bike share in low-income areas.
- 5:** Encourage the development of electric vehicle infrastructure throughout the county

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Performance Measures**

- Miles of pedestrian trails and bike lanes
- Bike share utilization (riders and # of miles traveled, CO<sub>2</sub> reduced)
- Reduction in GHG emissions resulting from bike share riding
- EV infrastructure – amount of charging stations
- E.V.'s – amount of vehicles licensed in the county

## **Department Strategy 4: Increase community awareness, knowledge, and advocacy regarding environmental issues, policies, and initiatives**

### **Initiatives:**

- 1:** Develop an effective and measurable educational campaign to inform citizens and the community about climate change and sustainability issues for residents of Cuyahoga County.
- 2:** Continue to coordinate local clean energy brown bags for Cuyahoga County environmental and sustainability leaders.
- 3:** Help organize policy advocacy across the County for environmental and sustainability leaders in order to positively affect state and national changes.
- 4:** Measure and track equity and inclusion for sustainability initiatives for Cuyahoga County residents.
- 5:** Convene a regional consortium of county sustainability leaders to increase best practice information sharing and opportunities for collaboration.
- 6:** Create and continuously enhance a best management practices information repository for use by all of our partners

### **County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions
- 11.5 Speak out on issues, policies and decisions at the state and federal level

### **Performance Measures**

Measure of outreach-Number of participants in outreach events (if discernible)

Utilization of BMP repository (site hits, etc.)

Process metric (for first several years): What you are doing (# of events held, # of attendees)

**Department Strategy 5:** Convene and collaborate with partners to advocate for improvements to water quality for Cuyahoga County residents and visitors

**Initiatives:**

- 1:** Assist in discerning and describing our region’s fresh water advantage. Understand its ecological and economic value to the County and work with others including NEOPIPE, Cleveland Water Alliance, CRWP, Port of Cleveland, and others in appropriate promotion and protection.
- 2:** Assist the Port of Cleveland, Ohio EPA and others in developing strategies for the beneficial re-use of dredged materials from the Cuyahoga River in order to reduce the need for Combined Disposal Facilities and keep materials out of Lake Erie.
- 3:** Work with and assist NEORSD in overall water quality work and in the development of a larger green infrastructure program for the County.
  - a.** Support/encourage cities to use NEORSD Member Community Infrastructure Program funds to support green infrastructure
- 4:** Work with County Planning to devise an environmentally sustainable land use strategy

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Performance Measures**

- Measure of improvements in water quality
- Reduction in watershed Beneficial Use Impairments
- # of Projects using NEORSD storm water infrastructure funding

## **Department Strategy 6:** Demonstrate the county’s leadership in environmental stewardship by increasing the utilization of sustainable, green practices throughout the organization

### **Initiatives:**

- 1:** Have the county install renewable energy systems and storage in as many of its facilities as feasible and reduce usage in its buildings through energy efficiency measures
- 2:** Create and spearhead an internal council to drive intra-organizational sustainability efforts
- 3:** Develop a protocol/policy for procurement practices which incorporates environmental sustainability as a metric for determining County vendors.
- 4:** Work with our County departments and resources to develop green storm water infrastructure policies for Cuyahoga County related projects to lessen storm water runoff and gain benefits from greater amounts of green infrastructure.
- 5:** Work with Cuyahoga County Public Works to create a sustainable vehicle replacement plan that includes both hybrid and electric vehicles
- 6:** Determine and assist in implementing additional pre-tax incentives to encourage utilization of alternative transportation

### **County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.1 Align and enhance internal resources to build a strong foundation for operational and strategic success
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

### **Performance Measures**

- % reduction in electricity usage for county buildings
- % of vehicle fleet replaced with hybrid and electric vehicles
- % of departments implementing internal sustainability policies

**Department Strategy 7:** Enhance land use practices to spur greater clean energy development, reduce local greenhouse gas emissions and, ultimately, positively impact local air quality positively

**Initiatives:**

- 1:** Support development of the ten most suitable landfill sites for large scale solar farms in Cuyahoga County
- 2:** In collaboration with municipalities and partner organizations, devise a comprehensive tree canopy enhancement plan for the county at large
- 3:** Encourage the use of integrative planning strategies wherever possible
- 4:** Continue to partner with CSU, CWRU, the City of Cleveland and others on a local MicroGrid project for Cuyahoga County.
- 5:** Work with groups like the Metroparks, the Trust for Public Land, the Cuyahoga Greenways Partnership and others on increasing the amount of trails and usable greenspace in the County for hiking, biking and recreational uses.

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Potential Metrics**

- Estimated CO2 sequestration attributable to enhanced tree canopy
- % tree canopy in Cuyahoga County
- # of new trees added
- # of landfill solar sites developed
- # of trails in the County

**[PROPOSED SUBSTITUTE]**

**County Council of Cuyahoga County, Ohio**

**Resolution No. R2017-0168**

Sponsored by: <b>Councilmembers Miller, Simon and Conwell</b>	<b>A Resolution</b> adopting the 2017 Cuyahoga County Sustainability Plan in accordance with Section 202.18 of the Cuyahoga County Code, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 202.18 of the Cuyahoga County Code requires the Director of Sustainability to prepare and present to Council a proposed five-year Sustainability Plan for actions to be carried out by the County itself, and in partnership with other public and private agencies and organizations, for the purpose of achieving the objectives outlined in Subsection 202.18(A)(2); and,

WHEREAS, Section 202.18 further requires the Director of Sustainability to review and revise the Sustainability Plan as needed but not less than once every five years in accordance with the Cuyahoga County Code; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to efficiently begin implementation of the plan for sustainability throughout Cuyahoga County.

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

**SECTION 1.** The 2017 Cuyahoga County Sustainability Plan, including all changes thereto approved by Council, is hereby adopted in accordance with Section 202.18 of the Cuyahoga County Code. The final plan adopted herein includes such changes the Council and the County Executive have agreed upon prior to adoption.

**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.





## Department of Sustainability Proposed 5 year Strategic Plan

Dear Council President Brady, Sustainability Chair Simon and members of Council,

In April, 2016, County Council passed Ordinance # 2016-0008 requiring the creation of a 5-year Sustainability Strategic Plan. We in the Department of Sustainability and the Administration wholeheartedly supported this idea. especially as the Department was a relatively new entity in County government, had a fairly large and broad mandate, but with a small, yet passionate staff.

We know that in order to be successful, we need to leverage as many resources as possible, cooperate with as many agencies, businesses and members of the community as we can and generally organize ourselves in a way that collaborates with the great array of partners in Cuyahoga County who seek environmentally sustainable solutions to climate change, clean energy development, water quality safety, transportation alternatives and overall more green environs.

In our first 2.5 years of existence we think have worked in that manner, but also believe that the process of developing this plan has been helpful in honing the work we should be engaged in for the next phase of our Department's life.

I am available for any individual meetings or calls regarding this proposal and of course for hearings you may have regarding the project.

Thanks for your time, consideration and insights,

Sincerely,

Mike Foley  
September 1, 2017

**Department Strategy 1:** Work collaboratively with our partners to reduce greenhouse gas emissions in the geographic confines of Cuyahoga County

**Initiatives:**

- 1:** Join with other cities and organizations to formulate a comprehensive Cuyahoga County Climate Change Action Plan that deals with both mitigation and adaptation by August 2018.
- 2:** Join with other cities and organizations by declaring an adherence to the Paris Climate Accords by September 1, 2017.
- 3:** Determine a measurement and reporting protocol by January of 2018.
- 4:** Measure all greenhouse gas emissions in Cuyahoga County by the spring of 2018 and set realistic greenhouse gas reduction goals and strategies by July 2018.
- 5:** Devise a dashboard that details comparative greenhouse gas emissions (by sector and geographically) by September of 2018.

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Performance Measures**

GHG emission levels

**Department Strategy 2:** Increase resources for clean energy and environmentally sustainable programs, projects, and practices in Cuyahoga County

**Initiatives:**

- 1: Devise a variety of streams of funding for programs, projects, and practices
  - a. Convene a stakeholders group with the goal of establishing an ongoing Sustainability fund with adequate resources similar to the **Arts and Culture Fund** which has a consistent source of revenue and governance.
  - b. Help create a **Clean Energy Pre-Development Fund** for business/local government/institutional/residential sectors to affordably help analyze, measure and communicate renewable and energy efficiency measures.
  - c. Rethink/re-develop a **clean energy loan and/or grant program** for business/local government/institutional/residential use.
  
- 2: Utilize devised funding streams to support a variety of programs, projects, and services that address at least one of the following three anticipated outcomes:
  - a. Reduction in greenhouse gas emissions within Cuyahoga County
  - b. Reduction in cost of clean energy
  - c. Increased business and workforce opportunities in sustainability-related industries (e.g. solar, wind, energy efficiency)

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Performance Measures**

Amount of funding available (\$)

# of projects proposed

# of projects funded

# of projects in process of being completed (What does this mean?)

# of projects completed

**Department Strategy 3:** Increase access to alternative methods of transportation for residents and visitors to Cuyahoga County to enhance air quality and the environmental health of the community

**Initiatives:**

- 1:** Work with NOACA, RTA, Clevelanders for Public Transportation and others to help create a bigger vision for transportation alternatives and help municipalities develop more projects to transform the transportation system.
- 2:** Encourage bike and pedestrian infrastructure on County-funded projects (e.g. bike lanes, signal systems, timing).
- 3:** Encourage bike and pedestrian infrastructure in private developments where new construction or renovation occurs.
- 4:** Apply for and leverage grant funding and existing county resources to increase the accessibility to and utilization of bike share in low-income areas.
- 5:** Encourage the development of electric vehicle infrastructure throughout the county

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Performance Measures**

- Miles of pedestrian trails and bike lanes
- Bike share utilization (riders and # of miles traveled, CO<sub>2</sub> reduced)
- Reduction in GHG emissions resulting from bike share riding
- EV infrastructure – amount of charging stations
- E.V.'s – amount of vehicles licensed in the county

**Department Strategy 4:** Increase community awareness, knowledge, and advocacy regarding environmental issues, policies, and initiatives

**Initiatives:**

- 1:** Develop an effective and measurable educational campaign to inform citizens and the community about climate change and sustainability issues for residents of Cuyahoga County.
- 2:** Continue to coordinate local clean energy brown bags for Cuyahoga County environmental and sustainability leaders.
- 3:** Help organize policy advocacy across the County for environmental and sustainability leaders in order to positively affect state and national changes.
- 4:** Measure and track equity and inclusion for sustainability initiatives for Cuyahoga County residents.
- 5:** Convene a regional consortium of county sustainability leaders to increase best practice information sharing and opportunities for collaboration.
- 6:** Create and continuously enhance a best management practices information repository for use by all of our partners

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions
- 11.5 Speak out on issues, policies and decisions at the state and federal level

**Performance Measures**

- Measure of outreach-Number of participants in outreach events (if discernible)
- Utilization of BMP repository (site hits, etc.)
- Process metric (for first several years): What you are doing (# of events held, # of attendees)

**Department Strategy 5:** Convene and collaborate with partners to advocate for improvements to water quality for Cuyahoga County residents and visitors

**Initiatives:**

- 1:** Assist in discerning and describing our region’s fresh water advantage. Understand its ecological and economic value to the County and work with others including NEOPIPE, Cleveland Water Alliance, CRWP, Port of Cleveland, and others in appropriate promotion and protection.
- 2:** Assist the Port of Cleveland, Ohio EPA and others in developing strategies for the beneficial re-use of dredged materials from the Cuyahoga River in order to reduce the need for Combined Disposal Facilities and keep materials out of Lake Erie.
- 3:** Work with and assist NEORS in overall water quality work and in the development of a larger green infrastructure program for the County.
  - a.** Support/encourage cities to use NEORS Member Community Infrastructure Program funds to support green infrastructure
- 4:** Work with County Planning to devise an environmentally sustainable land use strategy

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Performance Measures**

- Measure of improvements in water quality
- Reduction in watershed Beneficial Use Impairments
- # of Projects using NEORS storm water infrastructure funding

**Department Strategy 6:** Demonstrate the county’s leadership in environmental stewardship by increasing the utilization of sustainable, green practices throughout the organization

**Initiatives:**

- 1:** Have the county install renewable energy systems and storage in as many of its facilities as feasible and reduce usage in its buildings through energy efficiency measures
- 2:** Create and spearhead an internal council to drive intra-organizational sustainability efforts
- 3:** Develop a protocol/policy for procurement practices which incorporates environmental sustainability as a metric for determining County vendors.
- 4:** Work with our County departments and resources to develop green storm water infrastructure policies for Cuyahoga County related projects to lessen storm water runoff and gain benefits from greater amounts of green infrastructure.
- 5:** Work with Cuyahoga County Public Works to create a sustainable vehicle replacement plan that includes both hybrid and electric vehicles
- 6:** Determine and assist in implementing additional pre-tax incentives to encourage utilization of alternative transportation

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.1 Align and enhance internal resources to build a strong foundation for operational and strategic success
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Performance Measures**

- % reduction in electricity usage for county buildings
- % of vehicle fleet replaced with hybrid and electric vehicles
- % of departments implementing internal sustainability policies

**Department Strategy 7:** Enhance land use practices to spur greater clean energy development, reduce local greenhouse gas emissions and, ultimately, positively impact local air quality positively

Commented [MF1]: We had the word positively in there twice

**Initiatives:**

- 1: Support development of the ten most suitable landfill sites for large scale solar farms in Cuyahoga County
- 2: In collaboration with municipalities and partner organizations, devise a comprehensive tree canopy enhancement plan for the county at large
- 3: Encourage the use of integrative planning strategies wherever possible
- 4: Continue to partner with CSU, CWRU, the City of Cleveland and others on a local MicroGrid project for Cuyahoga County.
- 5: Work with groups like the Metroparks, County Planning, the Trust for Public Land, the Cuyahoga Greenways Partnership and others on increasing the amount of trails and usable greenspace in the County for hiking, biking, and recreational and passive uses.

Commented [MF2]: Added County Planning

Commented [MF3]: Added Sunny's request for passive use.

**County Goals/Priorities Supported:**

- 1.3 Deploy sustainability practices to support our competitive advantage
- 10.3 Strengthen and expand relationships with new and existing community partners
- 11.2 Work with partners to align, scale and sustain efforts to achieve systems-level solutions

**Potential Metrics**

- Estimated CO2 sequestration attributable to enhanced tree canopy
- % tree canopy in Cuyahoga County
- # of new trees added
- # of landfill solar sites developed
- # of trails in the County

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0167

Sponsored by: <b>Councilmembers Brady, Tuma, Miller, Schron, Gallagher, Brown, Hairston, Baker and Jones</b>	<b>A Resolution</b> authorizing the Veterans Service Commission to issue Ohio veterans identification cards to qualified individuals, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Section 317.241 of the Ohio Revised Code provides that County Council “may by resolution allow the county recorder or county veterans service office to issue Ohio veterans identification cards to individuals” who meet specified requirements; and,

WHEREAS, Charter Section 5.02 provides that the Fiscal Officer “shall exercise all powers and perform all duties now or hereafter vested in or imposed by general law upon county auditors and county recorders and the powers and duties of the clerk of court of common pleas other than those powers and duties related to serving the operation of the courts, and such other powers and duties not inconsistent therewith as provided herein or by ordinance;” and,

WHEREAS, commencing in July, 2013, the Cuyahoga County Fiscal Officer has provided veterans identification cards to Cuyahoga County Veterans; and,

WHEREAS Section 317.241 of the Ohio Revised Code further provides that “[a] county recorder or county veterans service office who has in operation, before the effective date of this section, a program to issue veterans identification cards may continue to issue veterans identification cards without a resolution of the board of county commissioners, if the county recorder or county veterans service office conforms the program, as necessary, so that it otherwise is in compliance with this section;” and,

WHEREAS, the Cuyahoga County Veterans Service Commission now seeks to issue veterans identification cards at no cost to Cuyahoga County veterans; and,

WHEREAS, veterans identification cards provide military veterans proof of their veteran status in lieu of their DD214 military discharge papers when applying for services, benefits, or discounts; 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.



First Reading/Referred to Committee: September 26, 2017  
Committee(s) Assigned: Finance & Budgeting

Additional Sponsorship Requested: October 2, 2017

Journal CC028  
October 10, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0169

<p>Sponsored by: <b>Councilmembers Conwell and Hairston</b></p> <p>Co-sponsored by: <b>Councilmembers Simon, Jones, Brady and Gallagher</b></p>	<p><b>A Resolution</b> authorizing a Casino Revenue Fund loan in the amount not-to-exceed \$250,000.00 and awarding a Casino Revenue Fund grant in the amount of \$500,000.00 to Northeast Ohio Neighborhood Health Services, Inc. for the benefit of the New Eastside Market Project, located at 10505 St. Clair Avenue in the City of Cleveland; authorizing the County Executive and Director of Development or his/her designee to prepare all documents to effectuate said loan and grant; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and grant and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Council desires to provide a Casino Revenue Fund loan in the amount not-to-exceed \$250,000.00 to Northeast Ohio Neighborhood Health Services, Inc. for the benefit of the New Eastside Market Project, located at 10505 St. Clair Avenue in the City of Cleveland; and

WHEREAS, the County Council desires to provide a Casino Revenue Fund grant in the amount of \$500,000.00 to Northeast Ohio Neighborhood Health Services, Inc. for the benefit of the New Eastside Market Project, located at 10505 St. Clair Avenue in the City of Cleveland; and

WHEREAS, the Cuyahoga County Code Section 709.04(A) states that funds in the Casino Revenue Fund may be used to “promote economic and community development in any area of Cuyahoga County;” and

WHEREAS, the primary goal of this project is to assist in financing the New Eastside Market which will create a community amenity and provide goods and services intended to contribute to community wellness; and

WHEREAS, the project will be funded from the Casino Revenue Fund and is located in County Council District 7; 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 Casino Revenue Fund loan in the amount not-to-exceed \$250,000.00 to Northeast Ohio Neighborhood Health Services, Inc. for the benefit of the New Eastside Market Project, located at 10505 St. Clair Avenue in the City of Cleveland.

**SECTION 2.** That the Cuyahoga County Council hereby authorizes a Casino Revenue Fund grant in the amount of \$500,000.00 to Northeast Ohio Neighborhood Health Services, Inc. for the benefit of the New Eastside Market Project, located at 10505 St. Clair Avenue in the City of Cleveland.

**SECTION 3.** That the Director of Development or his/her designee is authorized to prepare all documents to effectuate said loan and grant.

**SECTION 4.** That the County Executive and/or Director of Development are authorized to execute all necessary agreements and documents consistent with said loan and grant and this Resolution.

**SECTION 5.** This Resolution shall sunset twelve (12) months after County Council approval should the authorized action have not occurred by that date. In the event this Resolution sunsets prior to the authorized action taking place, the Director of Development shall notify the Clerk of Council in writing. The Clerk of Council shall record the sunsetting of this Resolution in the Council's journal.

**SECTION 6.** It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional reasons set forth in the preamble. Provided that this 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 7.** 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



# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0170

<p>Sponsored by: <b>Councilmember Simon on behalf of Cuyahoga County Planning Commission</b></p>	<p><b>A Resolution</b> supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for the conservation of ecologically significant areas located within the Cuyahoga River Valley, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County has received a request from West Creek Conservancy for a Resolution supporting an application for twelfth-round funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission for the conservation of ecologically significant areas for protection located within the Cuyahoga River Valley, pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, the West Creek Conservancy intends to acquire approximately 23 acres along the main stem of West Creek within the City of Parma, including over 4,000 linear feet of stream channel, as well as 3 acres of wetlands which will ultimately create a trail and greenway system connecting West Creek Reservation to the Towpath Trail and Cuyahoga Valley National Park; and

WHEREAS, the project is known as “West Creek Critical Greenway Conservation” and is located in County Council District No. 6; and

WHEREAS, West Creek Conservancy is a non-profit organization whose mission is to enrich the lives of people in Greater Cleveland by conserving natural habitats, restoring ecological value and promoting sustainability of urban lands, and expanding neighborhood opportunities to experience nature; and

WHEREAS, the total estimated project cost is \$1,200,000.00; and

WHEREAS, Ohio Revised Code Section 164.23 provides that “an entity seeking a grant for a project that is eligible for funding shall submit an application to the natural resources assistance council with geographical jurisdiction over the proposed project area;” and, Ohio Revised Code Section 164.23(B) further provides that “in addition to the application, an applicant for a grant for a project shall include a copy

of a resolution supporting the project from each county in which the proposed project is to be conducted;” and

WHEREAS, the Ohio Public Works Commission provides financial assistance to Natural Resources Assistance Councils for the purpose of preserving open spaces, sensitive ecological areas, and stream corridors; and

WHEREAS, the applications for the twelfth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 20, 2017 to the Cuyahoga County Natural Resources Assistance Council; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to meet the application deadline required by the Cuyahoga County Natural Resources Assistance Council.

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

**SECTION 1.** That the Cuyahoga County Council hereby supports the submission of an application on behalf of West Creek Conservancy for twelfth-round funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission for the conservation of ecologically significant areas located within the Cuyahoga River Valley known as the “West Creek Critical Greenway Conservation Project.”

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 26, 2017

Committee(s) Assigned: Education, Environment & Sustainability

Journal CC028

October 10, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0171

<p>Sponsored by: <b>Councilmember Simon on behalf of Cuyahoga County Planning Commission</b></p> <p>Co-sponsored by: <b>Councilmember Miller</b></p>	<p><b>A Resolution</b> supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Brook Park for the conservation of ecologically significant areas in the Abram Creek City-wide Greenway Trail – Phase I in the City of Brook Park, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County has received a request from City of Brook Park for a Resolution supporting an application for twelfth-round funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission for the conservation of ecologically significant areas in Abram Creek City-wide Greenway Trail – Phase I, pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, the City of Brook Park project includes the Abram Creek City-wide Greenway Trail – Phase I plan that aligns an off-road trail to connect the City of Brook Park to the Lake to Lake Trail in Middleburg Heights, to the Metro Parks Rocky River Reservation and to the Big Creek Greenway in Parma; Phase I of the project aligns Brook Park at Sheldon and Engle to the Rocky River Reservation by following the Abram Creek water course through Brook Park and behind the Cleveland Hopkins International Airport, which will connect directly to the Lake to Lake Trail with a first class pedestrian and bicycle friendly trail way; and

WHEREAS, the project is known as “Abram Creek City-wide Greenway Trail – Phase I” and is located in County Council District No. 2; and

WHEREAS, the total estimated project cost for Phase I is \$7,462,113.00; and

WHEREAS, Ohio Revised Code Section 164.23 provides that “an entity seeking a grant for a project that is eligible for funding shall submit an application to the natural resources assistance council with geographical jurisdiction over the proposed project area;” and, Ohio Revised Code Section 164.23(B) further provides that “in addition to the application, an applicant for a grant for a project shall include a copy of a resolution supporting the project from each county in which the proposed project is to be conducted;” and

WHEREAS, the Ohio Public Works Commission provides financial assistance to Natural Resources Assistance Councils for the purpose of preserving open spaces, sensitive ecological areas, and stream corridors; and

WHEREAS, the applications for the twelfth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 20, 2017 to the Cuyahoga County Natural Resources Assistance Council; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to meet the application deadline required by the Cuyahoga County Natural Resources Assistance Council.

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

**SECTION 1.** That the Cuyahoga County Council hereby supports the submission of an application on behalf of City of Brook Park for twelfth-round funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission for the conservation of ecologically significant areas located in the City of Brook Park known as “Abram Creek City-wide Greenway Trail – Phase I Project.”

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

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

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

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee: September 26, 2017  
Committee(s) Assigned: Education, Environment & Sustainability

Additional Sponsorship Requested on the Floor: September 26, 2017

Journal CC028  
October 10, 2017

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2017-0005

Sponsored by: <b>Councilmembers Brown and Miller</b>	<b>An Ordinance</b> amending Section 303.05 of the Cuyahoga County Code to establish the process for promotional appointments.
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WHEREAS, Article IX of the Charter of Cuyahoga County creates a Personnel Review Commission that shall be responsible for administering, for and in cooperation with the officers, agencies, boards and commissions of the County, an efficient and economical system for the employment of persons in the public service of the County according to merit and fitness; and

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

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

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

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

WHEREAS, Section 303.02 of the Cuyahoga County Code defines "promotion" as "the appointment of an employee to a different position assigned a higher pay range than the employee's previous position."

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

**SECTION 1.** Council hereby amends Section 303.05 of the Cuyahoga County Code as follows (additions are underlined and bolded; deletions are stricken):

Section 303.05 Appointments

A. Original Appointments

A person who has been selected by an Appointing Authority from an eligibility list that is established by the Personnel Review Commission 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.

B. 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. 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 are prohibited. Temporary appointments made necessary by reason of sickness, disability, or other approved leave of absence shall not continue beyond such period of sickness, disability, or other absence.

C. **Promotional Selection**

**Vacancies may be filled by promotion, as practicable. An appointing authority may either request an eligibility list from the PRC or make a promotion on the**

basis of merit and conduct and capacity in office via a posting internal to Cuyahoga County.

1. For the purposes of Section 303.05(C):

(a) “Merit” shall be determined by utilizing a structured interview or assessment tool developed by the Human Resources Department and approved by the Personnel Review Commission pursuant to paragraph (C)(2) of this Section.

(b) “Conduct and capacity in office” shall be determined by taking into consideration employee personnel records including, but not limited to, performance evaluations and active disciplinary record.

2. Before making a promotional appointment to a classified position, the Department of Human Resources shall develop and submit a structured interview or assessment tool to the Director of the Personnel Review Commission or his or her designee. The PRC Director or designee shall, within five business days, approve or disapprove the structured interview or assessment tool submitted by the Department of Human Resources. The Human Resources Department may request the PRC to develop a structured interview or assessment tool in lieu of seeking approval.

(a) If the PRC Director or designee approves of the structured interview or assessment tool, the PRC Director or designee shall notify the Director of Human Resources. The Department of Human Resources may use the approved tool for subsequent promotional appointments within the same classification; provided the minimum requirements for the classification have not changed.

(b) If the PRC Director or designee disapproves of the structured interview or assessment tool, the PRC Director or designee shall provide written objections and modifications, where appropriate. The Department and Human Resources and the Personnel Review Commission shall collaborate to develop a mutually agreeable solution.

(c) If the PRC Director or designee fails to respond within five business days, unless an extension of time is agreed to by both parties, the structured interview or assessment tool shall be deemed approved for the purposes of filling the immediate vacancy.

SECTION 2. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that

resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:  
Committee Assigned:

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

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2017-0006

Sponsored by: <b>Councilmembers Simon and Miller</b>	<b>An Ordinance</b> enacting Chapter 721 of the Cuyahoga County Code to authorize a Carryout Bag Fee for Environmental Remediation.
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WHEREAS, the precipitous increase in plastic production and plastic consumption over the past seventy years has resulted in approximately 269,000 tons of globally distributed plastic waste pollution, particularly in oceans, lakes, and other marine waterways; and,

WHEREAS, plastic waste is not bio-degradable and recycled plastic suffers from polymer degradation, limiting its useful life as a recyclable material, inevitably resulting in non-biodegradable microplastic particle pollution; and,

WHEREAS, discarded disposable bags are a major source of litter, pollute our open spaces, harm and kill wildlife, clog storm drains resulting in localized flooding, end up as debris in our neighborhoods and waterways, and contributes to blight; and,

WHEREAS, the pollution from disposable bags imposes external cleanup, removal and processing costs on our communities; and,

WHEREAS, Cuyahoga County Council has a compelling public interest in discouraging the wasteful use of disposable bags, mitigating the negative impact disposable bags have on our environment, and in defraying the costs of preventing and remediating environmental hazards; and,

WHEREAS, Cuyahoga County Council desires to combat the polluting effects of and accompanying blight caused by disposable bags on the environment of Cuyahoga County as well as to promote sustainability in northeast Ohio by providing for a fund, specifically named the Environmental Remediation Fund, the purpose for which is to provide for critical pollution prevention, remediation, and sustainability services as set forth in this Ordinance.

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

**SECTION 1.** Chapter 721 of the Cuyahoga County Code is hereby enacted to read as follows:

**CHAPTER 721: Carryout Bag Fee for Environmental Remediation**

**Section 721.01: Definitions:** The following definitions shall apply for purposes of Chapter 721 of the County Code only:

- (A) **“Carryout Bag”** means a paper or plastic bag provided by a Retail Establishment to a customer at point of sale to carry purchased items. Carryout Bag does not include:
1. a bag the customer brought with them to the Retail Establishment,
  2. a newspaper bag,
  3. a bag provided by a pharmacist that contains a prescription drug,
  4. a bag used to package a bulk item or to contain or wrap a perishable item,
  5. a bag that a restaurant gives a customer to take prepared or leftover food or drink from the restaurant,
  6. a bag intended for use as a dry cleaning, garbage, pet waste, or yard waste bag, or
  7. a bag provided at curbside pickup or point of delivery.
- (B) **“Environmental Remediation Fund”** means such fund that shall be established by Cuyahoga County (“County”) to collect and expend the fees as defined and outlined under the Chapter.
- (C) **“Occasional Retailer”** means a retail establishment that engages in the retail sale of goods and/or food no more than 20 days in any given year.
- (D) **“Retail Establishment”** means any supermarket, convenience store, department store, store, shop, service station, or restaurant and any other sales outlets where the vendor maintains an indoor footprint of 7,000 square feet or greater where a customer can buy goods and/or food that is not an Occasional Retailer as defined herein.

**Section 721.02: Carryout Bag Fee Imposed**

- (A) Commencing on July 1, 2018, a fee in the amount of ten cents shall be charged by the Retail Establishment to each customer for each Carryout Bag that a Retail Establishment provides to the customer.
- (B) Each Retail Establishment that provides a Carryout Bag to a customer must collect the fee referenced herein when the customer makes any payment for goods and/or food in person, through the Internet, by telephone, by wire, by facsimile, email or by any other means.
- (C) Each Retail Establishment shall encourage customers to bring their own reusable bags and customers who bring their own reusable bags to the Retail Establishment will not be required to use the Retail Establishment’s Carryout Bags nor will they be charged a fee for the use of reusable bags.

- (D) Each Retail Establishment may retain up to four cents from each ten cent fee that the Retail Establishment collects to cover the administrative expense of collecting and remitting the fee to the County.
- (E) A Retail Establishment must indicate on each customer's transaction receipt the number of Carryout Bags that the Retail Establishment provided to the customer and the total amount of fee charged; provided, however that a Retail Establishment may, with prior approval of the Fiscal Officer, use an alternative methodology to estimate the total number of bags provided to each customer in lieu of recording each individual bag.

**Section 721.03: Remittance of the Carryout Bag Fee**

- (A) On or before the 20<sup>th</sup> day of each month, each Retail Establishment must remit to the Cuyahoga County Fiscal Officer the amount of fees collected for all Carryout Bags provided to a customer during the previous month, less the amount retained for administrative expenses under Section 721.02.
- (B) Each remittance must be accompanied by a report of all transactions and exemptions that involve Carryout Bags. The report must be on a form supplied by the County and must contain the number of Carryout Bags supplied or provided to customers, the amount of total fees required by this Chapter to be collected and any other information that the Fiscal Officer requires to assure the proper fees have been remitted to the County.
- (C) If the Retail Establishment does not file a required report by the deadline established herein, the County may estimate the amount of fees due. The County may base the estimate of a reasonable projection of Carryout Bags supplied or provided and may consider fees reported by other Retail Establishments.
- (D) The County may send a notice of estimated fees due including interest and penalty, to the Retail Establishment's last known address. The Retail Establishment must pay the estimated fees, including any interest and penalty assessed by the County within 10 days after the notice is sent.
- (E) Each Retail Establishment must preserve for 3 years all records necessary to determine the amount of the fees due or any exemptions claimed under this Chapter.
- (F) The County may inspect and/or audit any records required to be kept under this Chapter.
- (G) The County shall deposit all fees under this Chapter into the Environmental Remediation Fund, less any necessary and reasonable expenses required for collection and enforcement of this Chapter. The Environment Remediation Fund may be used to pay costs of, or reimbursement for, eligible environmental remediation expenses, including the purchase or reimbursement of reusable and/or environmentally sustainable bags, recycling, clean-up of lakes, rivers, and waterways, pollution prevention or remediation, litter removal, environmental

education and awareness, other environmental remediation activities or programs intended to combat the polluting effects of and accompanying blight caused by Carryout Bags on the environment in Cuyahoga County, and any administrative and oversight costs incurred by the County for any of the activities described herein.

**Section 721.04: Interest and Penalties**

- (A) If a Retail Establishment does not remit to the Fiscal Officer any fees owed under this Chapter when due, the Retail Establishment is liable for interest on collections at the rate of one percent per month for each month or part of a month after the remittance is due and a penalty of 5 percent of the amount of collections per month or part of a month after the remittance is due up to 25 percent of the fees collected.
- (B) The Retail Establishment must pay any interest and penalty as part of the remittance due under this Chapter.

**Section 721.05: Prohibited Conduct**

A Retail Establishment shall not:

1. Refuse to allow customers to bring with them and to use their own reusable bags;
2. Neglect or refuse to collect or remit the fee required under this Chapter;
3. File an incomplete, false, or fraudulent report to the Fiscal Officer;
4. Neglect or refuse to keep complete and accurate records; or
5. Refuse to allow the County to inspect and audit the Retail Establishment's records.

**Section 721.06: Enforcement**

The County may fine a Retail Establishment \$500 per violation in addition to the fees, penalties and interest described in the Chapter. Any violation may be appealed by the Retail Establishment to The Cuyahoga County Debarment Review Board established under Section 205.06 of the Cuyahoga County Code. The Cuyahoga County Debarment Review Board may establish administrative rules and/or procedures to adjudicate any appeals described herein. A determination by the Debarment Review Board may be appealed to the Cuyahoga County Common Pleas Court pursuant to Section 2506 of the Ohio Revised Code.

**Section 721.07: Exemptions**

If, at the point of sale, a customer presents a valid Ohio Electronic Benefit Transfer (EBT) card in the customer's name indicating that the customer is enrolled in the

federal Supplemental Nutrition Assistance Program, then the customer shall not be subject to the Carryout Bag Fee for the transaction, regardless of whether the customer uses their EBT card to purchase goods at the point of sale. The Retail Establishment shall document any such exemptions in a manner acceptable to the County. This Chapter remains subject to Article I, Section 1.02 of the Cuyahoga County Charter.

**Section 721.08: Implementation of the Carryout Bag Fee for Environmental Remediation**

The County Executive or designee may adopt, amend, and enforce regulations and/or administrative rules for the purpose of carrying out the functions, powers, and duties vested in and imposed upon county directors or agencies by this Chapter. The Director of Sustainability shall be responsible for the administration of the Environmental Remediation Fund in accordance with the Contracting and Purchasing Procedures as codified in Chapter 501 of this Code.

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

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

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal \_\_\_\_\_  
\_\_\_\_\_, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0179

Sponsored by: <b>County Executive Budish/Fiscal Officer/Office of Budget and Management</b>	<b>A Resolution</b> 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. 20A810 – Criminal Justice Intervention HHS	<b>BA1700122</b>
JA107433 – Criminal Justice Intervention HHS	
Other Expenses	\$ 250,000.00

Requesting an appropriation increase in the Criminal Justice Intervention HHS account to be placed in “Transfer Out” line item so to facilitate the necessary operating (cash) transfer to restore the cash balance reserves in the Health and Human Services Levy 4.8 account. The operating (cash) transfer can be seen on JT1700123. The original funding was provided in December 2014 (R2014-0291 JT1400065-02) from the Criminal Justice Intervention HHS Subsidy account (SU519000). The funding was originally intended for the Juvenile Safe Surrender Project however those costs were included in available resources of both the Sheriff’s Office and Juvenile Court thus negating the need for these resources.

B. 24A601 – Senior and Adult Services	<b>BA1703105</b>
SA138420 – Home Support	
Other Expenses	\$ (1,590.29)
24A601 – Senior and Adult Services	
SA138479 – Protective Services	
Other Expenses	\$ (192.25)
24A601 – Senior and Adult Services	
SA138503 – Information and Outreach	
Other Expenses	\$ (2,029.00)
24A601 – Senior and Adult Services	
SA138602 – Home Based Services	
Other Expenses	\$ (4,988.66)
24A601 – Senior and Adult Services	
SA138701 – OPTIONS Program	
Other Expenses	\$ (3,619.96)

A request to remove appropriation that was carried forward from prior year budgets for obligations that were certified prior to 2017 and are no longer needed. Funding is from the Health and Human Services Levies (90%), federal reimbursements (9%), and client fees (1%) based on 2016 revenues.

C. 20A301 – Real Estate Assessment Fund	<b>BA1707695</b>
FS109702 – Fiscal Oper – Tax Assessments	
Other Expenses	\$ 200,000.00

An appropriation increase is requested to allow for the purchase of enforcement software in the Real Estate Assessment Fund. This software will have the ability to connect regional systems

and provide the member communities with real time information on properties. This is a one-time purchase of the software. The Real Estate Assessment Fund is a special revenue fund where revenues are generated from Real Estate Property Tax and Fees. The current cash balance is \$25,685,665.00.

D.	40A069 – Capital Projects		<b>BA1707696</b>
	CC769323 – BOE Door and Lock Repair		
	Personal Services	\$	20,175.10
	Capital Outlays	\$	34,824.90

To set up appropriations for the BOE Door and Lock Repairs Project at the Board of Elections to improve security. This project is on Public Works approved capital budget for 2017 utilizing the Special Project/Time Sensitive line item. With this additional project, the remaining available funds in this line item is \$130,426.82.

E.	40A069 – Capital Projects		<b>BA1707697</b>
	CC769331 – City Police H.Q. Build-Out		
	Personal Services	\$	715,000.00
	Other Expenses	\$	785,000.00
	Capital Outlays	\$	500,000.00

To set up appropriations for the initial space build build-out and building assessment for the City of Cleveland Police HQ Building. Cuyahoga County Council has entered into an agreement with the City of Cleveland to purchase the building (R2017-0103) located at 1300 Ontario Street and work needs to be done to allow staff and crime labs to be moved into the building. This project is on the 2017 CIP and is funded by the General Fund.

F.	21A512 – CCA 408 Jail/Misdemeanant		<b>BA1712219</b>
	CO759555 – CCA 408 – Domestic Violence FY18/19		
	Other Expenses	\$	350,496.00

Common Pleas Court is requesting an appropriation increase for \$350,496.00. This request is necessary to set up the 408 Domestic Violence Grant for FY2018. The 408 Jail Diversion Grant diverts eligible criminal offenders from the County Jail or local municipal jails. Funding is provided through the Ohio Department of Rehabilitation and Corrections Bureau of Community Sanctions. Prior grant was for \$219,060.00 and was 100% expended.

G.	21A512 – CCA 408 Jail/Misdemeanant		<b>BA1712220</b>
	CO759563 – CCA 408 – Jail Case Management FY18/19		
	Personal Services	\$	284,334.79
	Capital Outlays	\$	387,760.23

Common Pleas Court is requesting an appropriation increase for \$672,095.02. This request is necessary to set up the 408 Jail Case Management Program for FY2018. The 408 Jail Diversion Grant diverts eligible criminal offenders from the County Jail or local municipal jails. Funding is provided through the Ohio Department of Rehabilitation and Corrections Bureau of Community Sanctions for the period 7/1/2017 – 6/30/19. Prior grant was for \$420,060.00 and was 99.9% expended.

H.	21A512 – CCA 408 Jail/Misdemeanant		<b>BA1712221</b>
	CO759571 – CCA 408 – Pretrial Release Prog FY18/19		
	Personal Services	\$	1,020,796.00
	Other Expenses	\$	14,375.00

Common Pleas Court is requesting an appropriation increase of \$1,035,171.00. This request is necessary to set up the 408 Pretrial Release Program for FY2018. The 408 Jail Diversion Grant diverts eligible criminal offenders from the County Jail or local municipal jails. Funding is provided through the Ohio Department of Rehabilitation and Corrections Bureau of Community Sanctions for the period 7/1/2017 – 6/30/19. Prior grant was for \$645,982.00 and was 100% expended.

I.	21A512 – CCA 408 Jail/Misdemeanant		<b>BA1712222</b>
	CO759589 – CCA 408 – Prosecutorial Diversion FY18/19		
	Personal Services	\$	396,794.68

Common Pleas Court is requesting an appropriation increase of \$396,794.68. This request is necessary to set up the 408 Jail Prosecutorial Diversion Program for FY2018. The 408 Jail Diversion Grant diverts eligible criminal offenders from the County Jail or local municipal jails. Funding is provided through the Ohio Department of Rehabilitation and Corrections Bureau of Community Sanctions for the period 7/1/2017 – 6/30/19. Prior grant was for \$247,997.00 and was 100% expended.

J.	21A513 – CCA 407 Felony Program		<b>BA1712226</b>
	CO759597 – CCA 407 – Pre-sentence Invest. FY18/19		
	Personal Services	\$	792,000.00

Common Pleas Court is requesting an appropriation increase of \$792,000.00. This request is necessary to set up the 407 Pre-sentencing Investigation Writer Program for FY2018. The 407 Jail Diversion Grant diverts eligible criminal offenders from the County Jail or local municipal jails. Funding is provided through the Ohio Department of Rehabilitation and Corrections Bureau of Community Sanctions for the period 7/1/2017 – 6/30/19. Prior grant was for \$495,000.00 and was 100% expended.

K.	21A875 – CCCMHB-Behavior Mental Health/Juv Justice		<b>BA1717077</b>
	JC759084 – 16/17 Behavior Mental Health/Juv. Just		
	Personal Services	\$	37,400.00

To establish additional appropriations for the Behavioral Health/Juvenile Justice Grant for SFY 2017 per the additional funding provided by the ADAMHS Board. Original funding from ADAMHS Board totaled \$455,567.00. These funds will clear the NSF's from SFY 2017.

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

<b><u>Fund Nos./Budget Accounts</u></b>	<b><u>Journal Nos.</u></b>
A. FROM: 01A001 – General Fund	<b>BA1700125</b>
MI512657 – Miscellaneous	
Other Expenses	\$ 20,000.00

TO: 01A001 – General Fund  
 SH350579 – Sheriff Operations  
 Other Expenses \$ 20,000.00

Transfer appropriations from Miscellaneous Obligations to Sheriff Operations in support of the Crime Stoppers Program. Funding is from the General Fund covering the period January 1, 2017 through December 31, 2017.

B. FROM: 21A702 – Operation Stonegarden (OPSG) **BA1701537**  
 SH755413 – FY 15 Operation Stonegarden (OPSG)  
 Other Expenses \$ 196.05

TO: 21A702 – Operation Stonegarden (OPSG)  
 SH755413 – FY 15 Operation Stonegarden (OPSG)  
 Personal Services \$ 196.05

An appropriation transfer is being requested within the FY 15 Operation Stonegarden grant to realign appropriations to expense adjust salary and benefits being charged to the grant. The source of funding comes from the State of Ohio, Emergency Management Agency.

C. FROM: 01A001 – General Fund **BA1703134**  
 SY302240 – Sustainability  
 Personal Services \$ 12,700.00

TO: 01A001 – General Fund  
 SY302240 – Sustainability  
 Other Expenses \$ 12,700.00

The Department of Sustainability requests to realign vacancy savings to hire consultants to develop a comprehensive greenhouse gas inventory for the geographic region of the County as a whole for individual municipalities. The consultant will assist in data collection, interpretation and analysis and provide this information in a usable format for developing a climate action plan. Funding comes from the General Fund.

D. FROM: 24A601 – Senior and Adult Services **BA1703135**  
 SA138701 – OPTIONS Program  
 Other Expenses \$ 53,000.00

TO: 24A601 – Senior and Adult Services  
 SA138503 – Information and Outreach  
 Other Expenses \$ 50,000.00

24A601 – Senior and Adult Services  
 SA138321 – Administrative Services - SAS  
 Other Expenses \$ 3,000.00

To move appropriation from a projected Options surplus to increase the Terminix contract (CE1700009-01) to meet the growing demand for bedbug services and avoid a projected deficit. This fund receives revenues primarily from the Health and Human Services levy (approximately

90%) with additional revenues from client fees, federal program reimbursements, and funding through the Western Reserve Area on Aging.

E.	FROM: 22A960 – CDBG Year 39 2013		<b>BA1712210</b>
	DV714147 – CDBG Admin. Operating 2013		
	Other Expenses	\$	31,437.42
	TO: 22A917 – CDBG		
	DV715029 – CDBG Project Plan 2017		
	Other Expenses	\$	31,437.42

The Department of Development is requesting an appropriation transfer for \$31,437.42. This is moving prior year allocated Community Development Block Grant appropriation to fund projects expected during fiscal year 2017. These projects are funded in addition to the actual 2017 HUD award. Funding is provided by the Department of Housing & Urban Development (HUD).

F.	FROM: 22A910 – CDBG Year 40 2014		<b>BA1712211</b>
	DV714360 – CDBG Project Plan 2014/2015		
	Other Expenses	\$	229,255.68
	TO: 22A917 – CDBG		
	DV715029 – CDBG Project Plan 2017		
	Other Expenses	\$	229,255.68

The Department of Development is requesting an appropriation transfer for \$229,255.68. This is moving prior year allocated Community Development Block Grant appropriation to fund projects expected during fiscal year 2017. These projects are funded in addition to the actual 2017 HUD award. Funding is provided by the Department of Housing & Urban Development.

G.	FROM: 22A910 – CDBG Year 40 2014		<b>BA1712212</b>
	DV714378 – CDBG Admin. Operations 2014		
	Other Expenses	\$	45,940.29
	TO: 22A917 – CDBG		
	DV715029 – CDBG Project Plan 2017		
	Other Expenses	\$	45,940.29

The Department of Development is requesting an appropriation transfer for \$45,940.29. This is moving prior year allocated Community Development Block Grant appropriation to fund projects expected during fiscal year 2017. These projects are funded in addition to the actual 2017 HUD award. Funding is provided by the Department of Housing & Urban Development.

H.	FROM: 22A910 – CDBG Year 40 2014		<b>BA1712213</b>
	DV714386 – CDBG Non-Admin. Operations 2014		
	Other Expenses	\$	80,557.74
	TO: 22A917 – CDBG		
	DV715029 – CDBG Project Plan 2017		
	Other Expenses	\$	80,557.74

The Department of Development is requesting an appropriation transfer for \$80,557.74. This is moving prior year allocated Community Development Block Grant appropriation to fund projects expected during fiscal year 2017. These projects are funded in addition to the actual 2017 HUD award. Funding is provided by the Department of Housing & Urban Development.

I.	FROM: 22A914 – CDBG Year 41 2015 DV714436 – CDBG Project Plan FY 2015 Other Expenses	\$ 217,372.46	<b>BA1712214</b>
TO: 22A917 – CDBG DV715029 – CDBG Project Plan 2017 Other Expenses			
		\$ 217,372.46	

The Department of Development is requesting an appropriation transfer for \$217,372.46. This is moving prior year allocated Community Development Block Grant appropriation to fund projects expected during fiscal year 2017. These projects are funded in addition to the actual 2017 HUD award. Funding is provided by the Department of Housing & Urban Development.

J.	FROM: 22A910 – CDBG Year 40 2014 DV714576 – CDBG Admin. Operations 2015 Personal Services Other Expenses	\$ 34,342.32 \$ 65,971.19	<b>BA1712215</b>
TO: 22A917 – CDBG DV715029 – CDBG Project Plan 2017 Other Expenses			
		\$ 100,313.51	

The Department of Development is requesting an appropriation transfer for \$100,313.51. This is moving prior year allocated Community Development Block Grant appropriation to fund projects expected during fiscal year 2017. These projects are funded in addition to the actual 2017 HUD award. Funding is provided by the Department of Housing & Urban Development.

K.	FROM: 22A914 – CDBG Year 41 2015 DV714584 – CDBG Non-Admin. Operations 2015 Personal Services Other Expenses	\$ 80,852.19 \$ 42,004.52	<b>BA1712216</b>
TO: 22A917 – CDBG DV715029 – CDBG Project Plan 2017 Other Expenses			
		\$ 122,856.71	

The Department of Development is requesting an appropriation transfer for \$122,856.71. This is moving prior year allocated Community Development Block Grant appropriation to fund projects expected during fiscal year 2017. These projects are funded in addition to the actual 2017 HUD award. Funding is provided by the Department of Housing & Urban Development.

L.	FROM: 21A173 – Adult Drug Court Project CO759191 – Adult Drug Court Prj FY17 Other Expenses	\$ 5,800.00	<b>BA1712217</b>
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TO: 21A173 – Adult Drug Court Project  
 CO759191 – Adult Drug Court Prj FY17  
 Capital Outlays \$ 5,800.00

Common Pleas Court is requesting an appropriation transfer for \$5,800.00. This is to move appropriation from Other Operating to Capital to support purchases for computer equipment. Funding is provided through the ADAMHS Board for the period 1/1/2017 – 12/31/2017.

M. FROM: 20A312 – Coroner’s Lab **BA1712227**  
 CR180034 – Medical Examiner - Lab  
 Other Expenses \$ 3,040.00

TO: 20A312 – Coroner’s Lab  
 CR180034 – Medical Examiner - Lab  
 Capital Outlays \$ 3,040.00

The Office of Budget and Management on behalf of the Medical Examiner’s Office is requesting an appropriation transfer for \$3,040.00 from Contracts to Capital Expenses. This is to support the purchase of an LS/MS machine for the lab. Funding is provided through the Medical Examiner’s Lab Fund for the period 1/1/17 – 12/31/17.

N. FROM: 21A218 – State SHSP – Law Enforcement (SHSPLE) **BA1715129**  
 JA768903 – FFY 15 State Hland – Law Enforcement 15/18  
 Capital Outlays \$ 4,154.84

TO: 21A218 – State SHSP – Law Enforcement (SHSPLE)  
 JA768903 – FFY 15 State Hland – Law Enforcement 15/18  
 Other Expenses \$ 4,154.84

These transfers will be used to increase the FY 15 State Homeland Security Grant – Law Enforcement program contract with the Sheriff’s Office and will allow for the purchase of additional SCBA equipment. These monies are being reappropriated from other FY 15 SHSP-LE projects that were completely under budget. The funding is from the Department of State Homeland Security for the period September 1, 2015 through March 18, 2018.

O. FROM: 20A814 – Wireless 9-1-1 Government Assistance **BA1715130**  
 JA106773 – Wireless 9-1-1 Government Assistance  
 Other Expenses \$ 185,000.00

TO: 20A814 – Wireless 9-1-1 Government Assistance  
 JA106773 – Wireless 9-1-1 Government Assistance  
 Personal Services \$ 185,000.00

This transfer is to cover salaries and benefits for staff through the end of 2017. This transfer includes the cost associated with the new union contract approved by County Council which is retroactive to 4/1/16, as well as the additional hospitalization charge imposed through the remainder of the year. This is a special revenue funded by tariffs on cellphones.

P. FROM: 20A580 – DTAC HHF Project **BA1715131**  
 PR495580 – DTAC HHF Project  
 Other Expenses \$ 95,000.00

TO: 20A580 – DTAC HHF Project  
 PR495580 – DTAC HHF Project  
 Personal Services \$ 95,000.00

Requesting an appropriation transfer to cover salaries and fringes through 2017. The funding comes from the Hardest Hit Funds (7%) and General Fund (93%).

Q. FROM: 24A510 – Work & Training Admin **BA1715132**  
 WT137109 – Admin Services – General manager  
 Other Expenses \$ 20,000.00

TO: 24A510 – Work & Training Admin  
 WT137455 – Quincy Place NFSC  
 Other Expenses \$ 20,000.00

Requesting an appropriation transfer to cover future expenditures for 2017. The funding source is Public Assistance Funds (87%) and Health and Human Services Levy (13%).

R. FROM: 24A510 – Work & Training Admin **BA1715133**  
 WT137109 – Admin Services – General Manager  
 Other Expenses \$ 50,000.00

TO: 24A510 – Work & Training Admin  
 WT137109 – Admin Services – General Manager  
 Capital Outlays \$ 50,000.00

Requesting an appropriation transfer for the purchase TV monitors for Westshore Neighborhood Family Service Center. The funding source is Public Assistance Funds (87%) and Health and Human Services Levy (13%).

S. FROM: 21A493 – Youth Svcs Subsidy - FDCC **BA1717076**  
 JC756205 – Targeted RECLAIM CBT. – FY16/17-303T  
 Other Expenses \$ 1,400.00

TO: 21A493 – Youth Svcs Subsidy - FDCC  
 JC756205 – Targeted RECLAIM CBT. – FY16/17-303T  
 Personal Services \$ 1,400.00

To allow for expenditure to post from NSF list. Old Workers Comp charge in 11/2015 used budget allocation for salaries.

T. FROM: 01A001 – General Fund **BA1717075**  
 IT601104 – Mainframe Operations Services  
 Other Expenses \$ 8,000.00

TO: 01A001 – General Fund  
 IT601138 – WAN services  
 Other Expenses \$ 8,000.00

Transfer appropriations from Mainframe Operations (0278) to WAN Services (0610) to cover the Lighttower high speed internet circuit purchase for 2017 only.

**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: 20A810 – Criminal Justice Intervention HHS	<b>JT1700123</b>
JA107433 – Criminal Justice Intervention HHS	
Transfer Out	\$ 250,000.00
TO: 29A391 – Health & Human Services Levy 4.8	
ND514513 – H&HS 4.8 Mill Levy Revenue	
Revenue Transfer	\$ 250,000.00

The operating (cash) transfer from Criminal Justice Intervention HHS account to the Health and Human Services Levy 4.8 Revenue account to restore the cash balance reserves in that account. The original subsidy was provided in December 2014 (R2014-0291 JT1400065-02) intended for the Juvenile Safe Surrender Project however those costs were included in available resources in that year from both the Sheriff’s Office and Juvenile Court thus negating the need for the subsidy.

B. FROM: 29A391 – Health & Human Services Levy 4.8	<b>JT1703136</b>
SU514414 – Senior & Adult Svcs Subsidy	
Transfer Out	\$ 2,001,354.63
29A392 – Health & Human Services Levy 3.9	
SU514638 – Senior & Adult Subsidy 3.9	
Transfer Out	\$ 2,001,354.62
TO: 24A601 – Senior and Adult Services	
SA138321 – Administrative Services - SAS	
Revenue Transfer	\$ 4,002,709.25

To provide the third quarter subsidy for the HHS Division of Senior and Adult Services. Funding comes from the Health and Human Services Levy.

C. FROM: 29A391 – Health & Human Services Levy 4.8	<b>JT1703137</b>
SU514877 – Public Defender HHS	
Transfer Out	\$ 30,026.00
TO: 20A267 – Public Defender HHS	
PD141333 – Public Defender HHS	
Revenue Transfer	\$ 30,026.00

To transfer HHS subsidy to Public Defender’s Office for third quarter expenses. Budgeted Public Defender HHS expenses include an expungement clerk and two attorneys for a child support pilot program. Funding comes from the Health and Human Services Levy.

D. FROM:	29A392 – Health & Human Services Levy 3.9		<b>JT1706085</b>
	SU514737 – Employment & Family Subsidy 3.9		
	Transfer Out	\$	654,500.13
	29A392 – Health & Human Services Levy 3.9		
	SU514638 – Senior & Adult Subsidy 3.9		
	Transfer Out	\$	1,067,868.63
TO:	24A510 – Work & Training Admin		
	WT137109 – Admin Services – General Manager		
	Revenue Transfer	\$	1,722,368.76

In accordance with Ohio Revised Code (ORC) Section 5101.16 the county is required to pay a share of TANF related administration (\$5,430,662) and Non-TANF (\$1,458,813) related administration for Medicaid, Food related expenditures during a calendar year. This represents ¼ of the total required mandated share that generally is transferred to the corresponding fund on a quarterly basis. This transfer is for July through September 2017. The amount is based on the current State Fiscal Year’s requirement. The funding source is the Health and Human Services Levy.

E. FROM:	29A391 – Health & Human Services Levy 4.8		<b>JT1717076</b>
	SU514596 – Alcohol Drug Addiction Mental Health 4.8		
	Transfer Out	\$	4,920,457.50
	29A392 – Health & Human Services Levy 3.9		
	SU514729 – Alcohol Drug Addiction Mental Health 3.9		
	Transfer Out	\$	4,920,457.25
TO:	20A317 – ADAMHSBCC (as of 07/01/2009)		
	MH431056 – BH - Administrative Oper Budget		
	Revenue Transfer	\$	9,840,914.75

Subsidy for 2017 third quarter support of the Alcohol Drug Addiction Mental Health Board based on the amount approved in the 2017 budget (R2016-0216). Funding comes from the Health and Human Services Levy.

**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.





ARMOND BUDISH  
Cuyahoga County Executive

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TO: Jeanne Schmotzer, Clerk of County Council  
FROM: Maggie Keenan, Office of Budget and Management  
CC: Dennis Kennedy, Fiscal Office  
DATE: October 1, 2017  
RE: Fiscal Agenda – 10-10-17 Council Meeting

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The Office of Budget & Management requests that the members of County Council consider the attached fiscal resolution for approval on first reading at the meeting on **October 10, 2017**. The requested fiscal items, including additional appropriations, appropriation transfers, and cash transfers, are necessary to cover expenses.

Of note on this agenda are the following requests:

- To appropriate \$2 million toward begin work on the Cleveland Police Headquarters Building, adjacent to the Justice Center. Council approved the purchase of this building via R2017-0103. This initial appropriation request will support the work necessary to allow staff and the lab to move into the building. This project has been added to the 2017 Capital Improvement Plan. The purchase, renovation, and relocation expenses associated with this project are estimated to total approximately \$16 million and is supported by the County's General Fund reserves: the 2017 cost is estimated to total \$2 million, the remaining expenses will post in 2018. The draw on reserves to support this project will not reduce the cash balance below the mandated minimum of 25%. Upon completion, this project will result in operational savings in the General Fund budget.
- To appropriate \$55,000 to repair the doors and locks at the Board of Elections building. This project was added to the 2017 Capital Improvement Plan, reducing the remaining amount available in 2017 for "special TBD projects" to \$130,427.
- To appropriate the Criminal Justice Intervention HHS Fund to transfer surplus cash in that fund back to the Health and Human Services Levy Fund. After the transfer posts, this Fund will be closed.
- To appropriate \$200,000 in the Real Estate Assessment Fund to support the purchase of permitting and code enforcement software that can be used by both County appraisal staff and municipalities within the County. This software will assist in establishing accurate real property values. The cash balance in the Real Estate Assessment Fund totals approximately \$25.7 million. This cash balance will be used to support the 2018 Sexennial Appraisal. Any remaining balance after the completion of the appraisal is to be returned to the taxing authorities per the Ohio Revised Code.
- To appropriate new Community Corrections Act (CCA) 407 and 408 grants in the Court of Common Pleas. The Court uses these grants to support expenses that would otherwise fall to the General Fund or the Health and Human Services Levy Fund for programs that divert individuals from the County Jail and provide services to victims of domestic violence and individuals with behavioral health (mental health/addiction) issues. In total, the Court's CCA grants for the FY18-19 biennium were approximately \$700,000 less than the previous award.

The Court is not seeking additional funding to compensate for this reduction but is instead using special revenue funds to maintain programming.

- To transfer prior year Community Development Block Grant (CDBG) funding awarded to the Department of Development that has not been spent to the current year grants accounts.
- To transfer surplus appropriation in the County’s OPTIONS program, which provides home-based services to seniors in the community to support an increase in the demand for services for the elimination of bed bugs. The 2017 budget included \$100,000 for this service – this request includes current year funding to \$150,000, which will be maintained in 2018.  
[http://www.cleveland.com/metro/index.ssf/2017/08/cleveland\\_is\\_consistently\\_rank.html](http://www.cleveland.com/metro/index.ssf/2017/08/cleveland_is_consistently_rank.html)

**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	\$3,246,556.70	Grant – No General/HHS Levy Fund Impact
Fiscal Office	\$200,000.00	Special Revenue – No General/HHS Levy Fund Impact
HHS/Senior & Adult Services	(\$12,420.16)	Special Revenue – HHS Levy Fund Impact
Juvenile Court	\$34,700.00	Grant – No General/HHS Levy Fund Impact
Public Safety & Justice Services	\$250,000.00	Special Revenue – HHS Levy Fund Impact
Public Works/Capital Projects	\$2,055,000.00	Special Revenue – General Fund Impact
<b>TOTAL</b>	<b>\$5,773,836.54</b>	

**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
Common Pleas Court	\$5,800.00	Grant – No General/HHS Levy Fund Impact
Development	\$827,733.81	Grant – No General/HHS Levy Fund Impact
HHS/Job & Family Services	\$70,000.00	Special Revenue – HHS Levy Fund Impact
HHS/Senior & Adult Services	\$53,000.00	Special Revenue – HHS Levy Fund Impact
Information Technology	\$8,000.00	General Fund
Medical Examiner’s Office	\$3,040.00	Special Revenue – No General/HHS Levy Fund Impact
Miscellaneous Obligations/Sheriff’s Office	\$20,000.00	General Fund
Juvenile Court	\$1,400.00	Grant – No General/HHS Levy Fund Impact
Prosecutor’s Office	\$95,000.00	Special Revenue – General Fund Impact
Public Safety & Justice Services	\$4,154.84	Grant – No General/HHS Levy Fund Impact
Public Safety & Justice Services	\$185,000.00	Special Revenue – No General/HHS Levy Fund Impact
Sheriff’s Office	\$196.05	Grant – No General/HHS Levy Fund Impact
Sustainability	\$12,700.00	General Fund
<b>TOTAL</b>	<b>\$1,286,024.70</b>	

**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.

<b>Department</b>	<b>Amount Transferred</b>	<b>Funding Source</b>
ADAMHS Board	\$9,840,914.75	HHS Levy Fund
HHS/Job & Family Services	\$1,722,368.76	HHS Levy
Public Defender’s Office	\$30,026.00	HHS Levy Fund
Public Safety & Justice Services	\$250,000.00	Special Revenue – HHS Levy Fund Impact
Senior & Adult Services	\$4,002,709.25	HHS Levy Fund
<b>TOTAL</b>	<b>\$15,846,018.76</b>	

As always, if you have any questions or need additional information, please do not hesitate to contact me at either 216-443-8191 or [mkeenana@cuyahogacounty.us](mailto:mkeenana@cuyahogacounty.us). Thank you!

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0180

Sponsored by: <b>County Executive FitzGerald/Department of Public Works</b>	<b>A Resolution</b> authorizing an amendment to an agreement with Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the period 10/24/2017 - 12/31/2033 to add steam and chilled water services for the Virgil E. Brown Building, located at 1641 Payne Avenue, Cleveland, effective 10/24/2017; 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 an agreement with Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the period 10/24/2017 - 12/31/2033 to add steam and chilled water services for the Virgil E. Brown Building, located at 1641 Payne Avenue, Cleveland, effective 10/24/2017; and

WHEREAS, the primary goal is to provide chilled water and steam services to the Virgil E. Brown Building; and

WHEREAS, the procurement of utilities services under these agreements is subject to annual appropriations; and

WHEREAS, the Director of Public Works estimates that the average annual expenditure for steam and chilled water services for Virgil E. Brown Building is \$327,054.00, with a total estimated expenditure of \$6,712,355.00 for the term of the agreement; and

WHEREAS, the County also agrees to contribute \$125,000.00 towards the capital costs for the installation of the chilled water connection/conversion; and

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

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

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes an amendment to an agreement with Cleveland Thermal, LLC for central heating and cooling services (steam and chilled water) and other related services at various County facilities for the period 10/24/2017 - 12/31/2033 to add steam and chilled water services for the Virgil E. Brown Building, located at 1641 Payne Avenue, Cleveland, effective 10/24/2017.

**SECTION 2.** That the County Executive is authorized to execute the amendment and any 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\_\_

## Summary of Requested Action

### **Cleveland Thermal Amendment for Steam & Chilled Water Services**

- A. The requested procurement method is an amendment to an existing service agreement for steam & chilled water services.
- B. Scope of Work Summary:**
1. The scope of work of this procurement is to add steam and chilled water service distribution to the Virgil E. Brown building located at 1641 Payne Avenue, Cleveland, OH 44114
- C. Procurement:**
1. Cleveland Thermal is already the County's service provider for steam and chilled water services for the major facilities at the Justice Center, Courthouse Square, and Courthouse. This amendment will add service to the Virgil E. Brown building so as to convert that building from a standalone boiler/chiller/cooling tower based utility plant.
- D. Contractor and Project Information**
1. The address is:  
CLEVELAND THERMAL  
1921 HAMILTON AVE  
CLEVELAND, OH 44114
  2. The principal owner is Mr. Mark Divis
  3. The location of the project is:
    - a. Virgil E. Brown Building – 1641 Payne Ave, Cleveland, OH
    - b. The project is in Council District 7.
- E. Project Status & Planning**
1. This action is a supporting procurement for an in progress capital project within Public Works.
  2. N/A.
  3. This project is will facilitate new steam & chilled water distribution service to the Virgil Brown Building as a substantial up-front project cost savings and equivalent life cycle cost to boiler/chiller plant replacement alternatives.
  4. N/A
  5. N/A.
- F. Funding**
1. Virgil E Brown Chillers Capital Project

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0181

<p>Sponsored by: <b>County Executive Budish/Department of Public Works on behalf of Cuyahoga County Court of Common Pleas/Juvenile Division</b></p>	<p><b>A Resolution</b> authorizing an amendment to Contract No. CE1000877-01 with Poli, Inc. for lease of space for the Westside Regional Probation Office, located at 5361 Pearl Road, Parma, for the period 9/1/2010 - 8/31/2017 to extend the time period to 8/31/2022 and for additional funds in the amount not-to-exceed \$264,300.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works has recommended an amendment to Contract No. CE1000877-01 with Poli, Inc. for lease of space for the Westside Regional Probation Office, located at 5361 Pearl Road, Parma, for the period 9/1/2010 - 8/31/2017 to extend the time period to 8/31/2022 and for additional funds in the amount not-to-exceed \$264,300.00; and

WHEREAS, the primary goals of the project are: (1) to allow space to accommodate staff currently located at 5361 Pearl Rd., Parma, Ohio and (2) to accommodate the needs in the most expedient and cost effective manner possible for the Westside Regional Probation Office for use by Juvenile Court; and

WHEREAS, this project is funded from Health and Human Services Levy funds; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1000877-01 with Poli, Inc. for lease of space for the Westside Regional Probation Office, located at 5361 Pearl Road, Parma, for the period 9/1/2010 - 8/31/2017 to extend the time period to 8/31/2022 and for additional funds in the amount not-to-exceed \$264,300.00.



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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0182

Sponsored by: <b>County Executive Budish/Fiscal Officer/Office of Budget and Management</b>	<b>A Resolution</b> adopting the 2018/2019 Biennial Operating Budget and Capital Improvements Program, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Article 2, Section 3, Subsection 9 and 10 of the Cuyahoga County Charter directs the County Executive to submit to the Council prior to the beginning of each fiscal year, a proposed operating budget and a capital improvements program for the upcoming fiscal year; and

WHEREAS, Article 3, Section 9, Subsection 5 of the Cuyahoga County Charter gives County Council the power to adopt and amend the County's operating budget and capital improvements program and to make appropriations for the County; and

WHEREAS, Pursuant to Title 7, Chapter 701 of the Cuyahoga County Code, County Council established the procedure for a two-year budget, capital improvements and appropriations process with an annual update; and

WHEREAS, Title 7, Chapter 701.01, Subsection C of the Cuyahoga County Code states that not later than at the first County Council meeting in October of each odd-numbered year, the County Executive shall submit to Council a proposed operating budget and capital improvements program for the two fiscal years beginning January 1 of the year following the submission. The materials submitted shall include all information required by Article 2, Section 3, Subsections 9, 10, and 11 of the Cuyahoga County Charter; and

WHEREAS, Title 7, Chapter 701.01, Subsection E also states that County Council shall review, amend as needed, and adopt the biennial operating budget and capital improvements program and make all necessary appropriations not later than December 15<sup>th</sup> of each odd-numbered year.

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 County entities.

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

**SECTION 1.** That the County Council hereby adopts the Cuyahoga County 2018/2019 Biennial Operating Budget and Capital Improvements Program as follows:



# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0183

Sponsored by: <b>County Executive Budish/Fiscal Officer/Office of Budget &amp; Management</b>	<b>A Resolution</b> accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Council of Cuyahoga County, Ohio, met in regular session on the 11th of July, 2017; and

WHEREAS, this County Council, in accordance with the provision of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1, 2018; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio, has certified its action thereon to this Council together with an estimate of the County Fiscal Officer of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; 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 rates as determined by the Budget Commission in its certification be, and the same are, hereby accepted.

**SECTION 2.** That there be, and is, hereby levied on the tax duplicate of said County, the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

**SCHEDULE A  
SUMMARY OF AMOUNT REQUIRED FROM GENERAL PROPERTY TAX  
APPROVED BY BUDGET COMMISSION AND COUNTY FISCAL  
OFFICER’S ESTIMATE OF TAX RATES**

**County Fiscal Officer’s Estimate of Tax Rate to be Levied**

<b>Tax Levy</b>	<b>Inside 10 Mill Limit</b>	<b>Outside 10 Mill Limit</b>
General Fund	<b>0.50</b>	<b>0</b>
General Fund – Bond Retirement	<b>0.95</b>	<b>0</b>
Health & Human Services	<b>0</b>	<b>3.90</b>
Board of Developmental Disabilities	<b>0</b>	<b>3.90</b>
Health & Welfare	<b>0</b>	<b>4.80</b>
County Library	<b>0</b>	<b>2.50</b>
<b>TOTAL</b>	<b>1.45</b>	<b>15.10</b>

**SECTION 3.** That the Clerk of Council be, and she is, hereby instructed to transmit a certified copy of this Resolution to the County Fiscal Officer; one copy to the County Budget Commission and the Director, Office of Budget & Management.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

Journal \_\_\_\_\_  
\_\_\_\_\_, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0176

Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b>	<b>A Resolution</b> accepting a loan in the amount of \$225,000.00 from Ohio Public Works Commission to finance the Broadrock Drill Drop Project in the City of Parma; authorizing the County Executive to execute the agreement and all other documents required in connection with said loan and this Resolution, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended to accept a loan in the amount of \$225,000.00 from Ohio Public Works Commission to finance the Broadrock Drill Drop Project in the City of Parma; and

WHEREAS, the purpose of this project is to obtain a loan from the Ohio Public Works Commission in order to assist in financing the costs of the Broadrock Drill Drop Project in the City of Parma, located in Council District 4; and

WHEREAS, the project is anticipated to begin 10/16/2017 and anticipated to be complete 12/20/2018; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily 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 accepts a loan in the amount of \$225,000.00 from Ohio Public Works Commission to finance the Broadrock Drill Drop Project in the City of Parma.

**SECTION 2.** That the County Executive is authorized to execute the agreement and all other documents required in connection with said loan and this Resolution.

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

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 26, 2017

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

Committee Report/Second Reading: October 10, 2017

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

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0174

Sponsored by: <b>County Executive Budish/Department of Public Works</b>	<b>A Resolution</b> authorizing the County Executive to accept and approve various dedications of land in connection with Permanent Parcel No. 736-12-011 located in the City of Shaker Heights; authorizing the County Executive to execute the final Plat in connection with said dedications; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended to accept and approve various dedications of land in connection with Permanent Parcel No. 736-12-011 located in the City of Shaker Heights; and

WHEREAS, dedication of 0.0823 acres of part of Warrensville Center Road and Farnsleigh Drive in the City of Shaker Heights to add an additional 8-foot strip to the north side of a section of Farnsleigh Drive and a 5-foot strip to the east side of a section of Warrensville Center Road, located in Council District 9; and

WHEREAS, dedication of easements for construction, maintenance and operation of public facilities and appurtenances to public use is granted to the County of Cuyahoga and its corporate successors; 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 County Council hereby authorizes the County Executive to accept the dedications of land in connection with Permanent Parcel No. 736-12-011 located in the City of Shaker Heights as public streets.

**SECTION 2.** That the County Executive is authorized to execute the final Plat in connection with said dedications of land.

**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

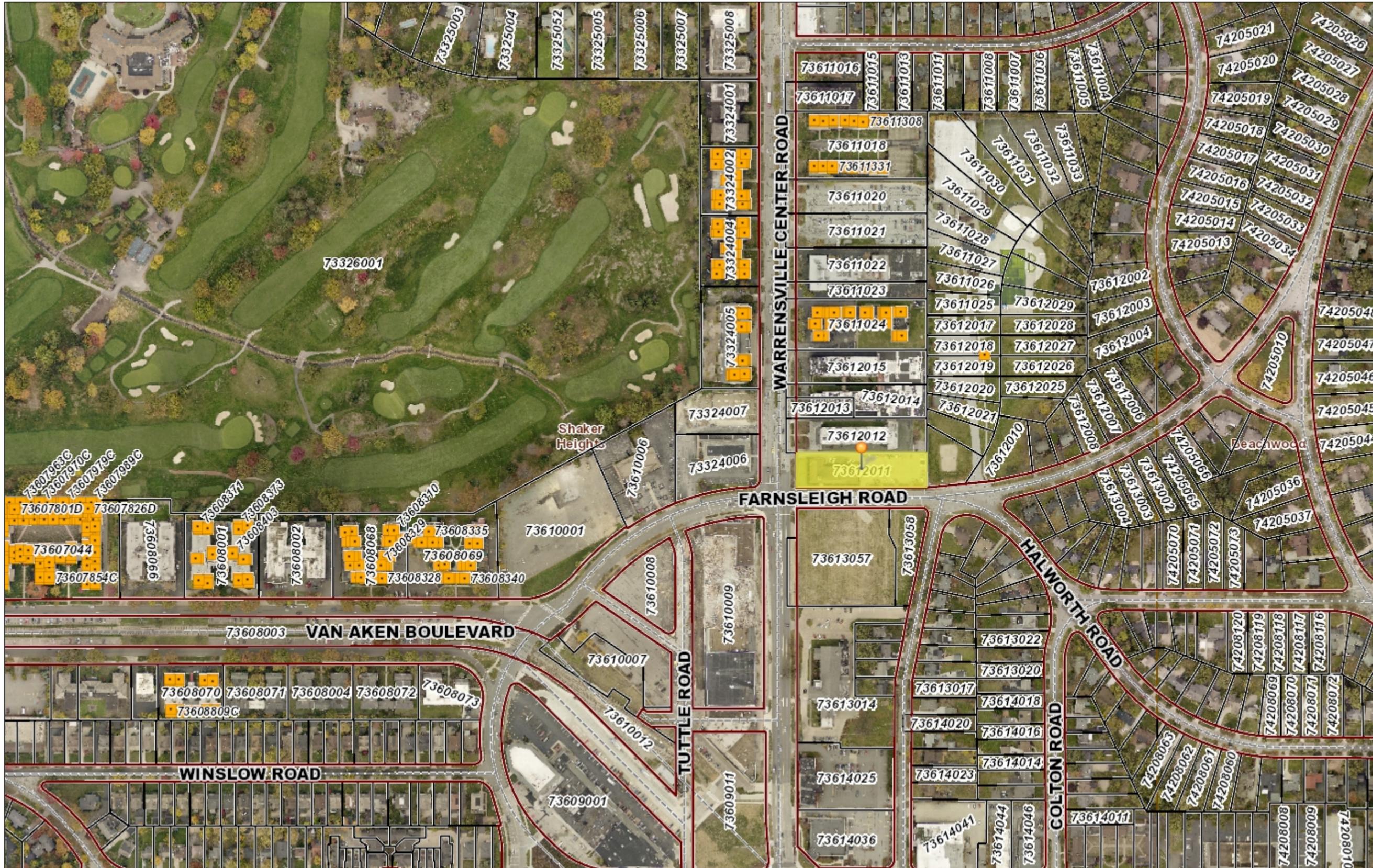
\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 26, 2017

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

Journal CC028

October 10, 2017



Date Created: 8/24/2017

Legend

- Cuyahoga County Facility
- Point Parcels
- Right Of Way
- Platted Centerlines
- Parcels
- Municipalities

1: 3,382



564 0 282 564 Feet

Projection:  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

**CUYAHOGA COUNTY**  
**GIS** GEOGRAPHICAL  
INFORMATION  
SYSTEMS

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0175

Sponsored by: <b>County Executive Budish/Department of Public Works</b>	<b>A Resolution</b> authorizing a second amendment to Contract No. CE1300548-01 with MariSupHam, LLC for lease of office space in the Marion Building, located at 1276 West 3 <sup>rd</sup> Street, Cleveland, for the period 12/1/2013 - 10/31/2017 to extend the time period to 10/31/2018 and for additional funds in the amount not-to-exceed \$1,219,536.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended a second amendment to Contract No. CE1300548-01 with MariSupHam, LLC for lease of office space in the Marion Building, located at 1276 West 3<sup>rd</sup> Street, Cleveland, for the period 12/1/2013 - 10/31/2017 to extend the time period to 10/31/2018 and for additional funds in the amount not-to-exceed \$1,219,536.00; and

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

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

WHEREAS, a first amendment to the lease to fulfill the first one-year renewal term was approved by Council on 10/11/2016 pursuant to Resolution No. R2016-0191; and

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

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



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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 26, 2017

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

Journal CC028

October 10, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0177

Sponsored by: <b>County Executive Budish/Fiscal Officer</b>	<b>A Resolution</b> making awards on RQ39790 to various providers, in the total amount not-to-exceed \$2,328,000.00, for various real estate review and appraisal services in connection with the 2018 Sexennial Reappraisal for the period 7/17/2017 - 5/31/2018; authorizing the County Executive to execute the master contracts 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, in April of 2017, the County solicited for real estate appraiser resumes to include a Statement of Qualifications and Experience for appraisal services relating to a county-wide reappraisal of all Residential, Manufactured Homes, Commercial, Industrial and Industrial Report parcels; and

WHEREAS, this reappraisal process is intended to field review, verify physical characteristics of, and value the physical inventory for approximately 396,903 residential and manufactured home parcels. Also included in the reappraisal process is the review, verification of physical characteristics of and valuation of 25,000 commercial and industrial classed parcels and 860 heavy industrial parcels.

WHEREAS, the Fiscal Officer ranked the appraisers based upon their qualifications and experience and has made the following recommendations for awarding contracts to the following individual independent contractors:

- 1) for residential appraisals, estimated to be approximately 396,903 parcels @ \$4.50 per parcel, in the approximate amount of \$1,786,250.00:
  - a) Altieri, Faith
  - b) Andrews, John W.
  - c) Blaze Lana
  - d) Blaze, Vernon
  - e) Burke, George G.
  - f) Butler, Mark A.
  - g) Chervenak, Jereme
  - h) Chervenak, Ronald
  - i) Conte, Gregory W.

- j) Curran, Patrick
- k) Delisio, Brian
- l) Finkler, Timothy A.
- m) Harmon, David, Jr.
- n) Harmon, David, Sr.
- o) Hogan, Thomas P.
- p) Jackson, Donna
- q) Kapusi, Christina L.
- r) Kinczel, Paul D.
- s) Koz, John H.
- t) Lassiter, Ruth A.
- u) Lenehan, John F.
- v) Loftus, Christopher J.
- w) Mamer, Bruce J.
- x) Mclaughlin, Paul G.
- y) Neal, Maria
- z) Paponetti, James
- aa) Patriski, Stan R.
- bb) Pattie, Debra A.
- cc) Price, Nancy A.
- dd) Rocco, Daniel J.
- ee) Roff, Andrea J.
- ff) Salvatore, Lawrence
- gg) Salvatore, Nicholas
- hh) Sarkisian, Kristin M.
- ii) Ward, David W.
- jj) Weinberg, Thomas
- kk) Williams, Crystal A.

2) for heavy industrial appraisals in the approximate amount of \$172,000.00:

- a) Wardell, James

3) for commercial review and appraisal services in the approximate amount of \$369,750.00:

- a) Diamantis, George
- b) Horton, Edward D.
- c) Jackson, Timothy
- d) Levering, Wayne F.
- e) McDaniel, Carlos
- f) Williams, Gregory

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 County departments, offices and agencies.

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

**SECTION 1.** That the Cuyahoga County Council hereby makes awards on RQ39790 to various providers, in the total amount not-to-exceed \$2,328,000.00, for various real estate review and appraisal services in connection with the 2018 Sexennial Reappraisal for the period 7/17/2017 - 5/31/2018 as follows:

- 1) for residential appraisals, estimated to be approximately 396,903 @ \$4.50 per parcel, in the approximate amount of \$1,786,250.00:
  - a) Altieri, Faith
  - b) Andrews, John W.
  - c) Blaze Lana
  - d) Blaze, Vernon
  - e) Burke, George G.
  - f) Butler, Mark A.
  - g) Chervenak, Jereme
  - h) Chervenak, Ronald
  - i) Conte, Gregory W.
  - j) Curran, Patrick
  - k) Delisio, Brian
  - l) Finkler, Timothy A.
  - m) Harmon, David, Jr.
  - n) Harmon, David, Sr.
  - o) Hogan, Thomas P.
  - p) Jackson, Donna
  - q) Kapusi, Christina L.
  - r) Kinczel, Paul D.
  - s) Koz, John H.
  - t) Lassiter, Ruth A.
  - u) Lenehan, John F.
  - v) Loftus, Christopher J.
  - w) Mamer, Bruce J.
  - x) Mclaughlin, Paul G.
  - y) Neal, Maria
  - z) Paponetti, James
  - aa) Patriski, Stan R.
  - bb) Pattie, Debra A.
  - cc) Price, Nancy A.
  - dd) Rocco, Daniel J.
  - ee) Roff, Andrea J.
  - ff) Salvatore, Lawrence
  - gg) Salvatore, Nicholas
  - hh) Sarkisian, Kristin M.

- ii) Ward, David W.
- jj) Weinberg, Thomas
- kk) Williams, Crystal A.

2) for heavy industrial appraisals in the approximate amount of \$172,000.00:

- a) Wardell, James

3) for commercial review and appraisal services in the approximate amount of \$369,750.00:

- a) Diamantis, George
- b) Horton, Edward D.
- c) Jackson, Timothy
- d) Levering, Wayne F.
- e) McDaniel, Carlos
- f) Williams, Gregory

**SECTION 2.** That the County Executive is authorized to execute the master 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: September 26, 2017

Committee(s) Assigned: Finance & Budgeting

Journal CC028  
October 10, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0178

<p>Sponsored by: <b>County Executive Budish/Department of Human Resources</b></p>	<p><b>A Resolution</b> authorizing an amendment to Contract No. CE1400326-01 with United Healthcare Services, Inc. for group healthcare benefits including medical benefit management services for County employees and their eligible dependents and for Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2015 - 12/31/2017 for additional funds in the amount not-to-exceed \$12,200,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Human Resources has recommended an amendment to Contract No. CE1400326-01 with United Healthcare Services, Inc. for group healthcare benefits including medical benefit management services for County employees and their eligible dependents and for Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents for the period 1/1/2015 - 12/31/2017 for additional funds in the amount not-to-exceed \$12,200,000.00; and

WHEREAS, the primary goal of this project is to provide group healthcare benefits including medical benefit management services for County employees and their eligible dependents and for Cuyahoga County Benefits Regionalization Program participants' employees and their eligible dependents; and

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

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

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



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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 26, 2017  
Committee(s) Assigned: Human Resources, Appointments & Equity

Journal CC028  
October 10, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0154

Sponsored by: <b>County Executive Budish</b>	<b>A Resolution</b> confirming the County Executive's appointment of Michael P. Foley to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/16/2017 - 10/15/2020, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ohio Revised Code Chapter 164.21, the former Cuyahoga County Board of Commissioners created a County Natural Resources Assistance Council; and

WHEREAS, the Cuyahoga County Natural Resources Assistance Council oversees the implementation of the Clean Ohio Conservation Program in Cuyahoga County by evaluating, ranking and prioritizing projects submitted by eligible County entities; and

WHEREAS, 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, Chapter 114 of the Cuyahoga County Code provides the requirements for submission of appointments to County Council; and

WHEREAS, County Executive Armond Budish has nominated Michael P. Foley to be appointed to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/16/2017 - 10/15/2020; 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 Michael P. Foley to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/16/2017 - 10/15/2020.

**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, this Resolution shall become immediately effective.

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 12, 2017

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

Committee Report/Second Reading: September 26, 2017

Journal CC028

October 10, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0155

Sponsored by: <b>County Executive Budish</b>	<b>A Resolution</b> confirming the County Executive’s appointment or reappointment of various individuals to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for various terms, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that “[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council;” and

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

WHEREAS, Chapter 114 of the Cuyahoga County Code provides the requirements for submission of appointments to County Council; and

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

WHEREAS, County Executive Armond Budish has nominated the following individuals to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for various terms:

- i) Appointments for an unexpired term ending 6/30/2020:
  - a. Sheila Wright
  - b. Grace Gallucci
  - c. C. Jay Matthews
  
- ii) Reappointment:
  - a. Kim Shelnick for the term 7/1/2017 - 6/30/2020.

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 or reappointment of the following individuals to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for various terms:

- i) Appointments for an unexpired term ending 6/30/2020:
  - a. Sheila Wright
  - b. Grace Gallucci
  - c. C. Jay Matthews
  
- ii) Reappointment:
  - a. Kim Shelnick for the term 7/1/2017 - 6/30/2020.

**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, this Resolution shall become immediately effective.

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee: September 12, 2017  
Committee(s) Assigned: Human Resources, Appointments & Equity

Legislation Substituted in Committee: September 19, 2017

Committee Report/Second Reading: September 26, 2017

Journal CC028  
October 10, 2017

# County Council of Cuyahoga County, Ohio

## Resolution No. R2017-0159

<p>Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> authorizing a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary Sewerage Systems, located in County Sewer District No. 21; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary Sewerage Systems, located in County Sewer District No. 21; and

WHEREAS, the County and the Village of Woodmere entered into a Memorandum of Agreement for Construction, Operation and Maintenance of Sanitary Sewerage Systems pursuant to Board of County Commissioners Resolution No. 952239, dated 6/6/1995; and

WHEREAS, the County and Village of Woodmere desire to amend the Memorandum of Agreement in order for the County to maintain its Village sewers and the County sewers and collect funds for the completion of capital improvement projects through sanitary engineer assessments collected on tax duplicates from Village of Woodmere residents; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes a First Amendment to a Memorandum of Agreement with Village of Woodmere for Construction, Operation and Maintenance of Sanitary Sewerage Systems, located in County Sewer District No. 21.



Committee Report/Second Reading: September 26, 2017

Journal CC028  
October 10, 2017

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2017-0004

Sponsored by: <b>County Executive Budish/Fiscal Officer</b>	<b>An Ordinance</b> amending Section 501.15 of the Cuyahoga County Code to modify the requirements of contractors, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Section 501.15 of the Cuyahoga County Code sets forth certain Required Certifications that shall be made by all Contractors; and

WHEREAS, the amendments proposed are designed to clarify and limit the requirements to applicable contract types; and

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

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

**SECTION 1.** Section 501.15 of the Cuyahoga County Code is hereby amended to read as follows (additions are bolded and underlined, deletions are stricken):

**Section 501.15 ~~Required Certifications by~~ Requirements of Contractors**

A. On federally or state funded projects, which require the County to comply with specific federal and/or state criteria or forms for certifications by the successful contractor(s), the County shall comply with the federal and/or state requirements to avoid the loss of federal or state funds, including the use of the federal and/or state certification forms in lieu of the County's mandated certification forms. Where possible on federally or state funded projects and on all other projects, at the time of execution of the contract, the successful contractor shall ~~certify that it:~~

1. **for public improvements contracts, the contractor** shall be in compliance with Ohio's Drug-Free Workplace requirements **as provided in Ohio Revised Code Section 153.03,** ~~including, but not limited to, maintaining~~ **All contractors shall maintain a written** substance abuse policy, ~~that~~ **to which** its personnel are subject ~~to~~ on the contract (the successful contractor shall provide this policy upon request);

2. **for public improvement contracts, the contractor** ~~does~~ **shall** not have an Experience Modification Rating greater than 1.5 with respect to the Bureau of Workers Compensation risk assessment rating;
3. **the contractor** ~~is in~~ **shall be** compliance and will remain in compliance with Federal and Ohio Equal Opportunity Employment Laws;
4. **for public improvement contracts, the contractor** shall pay the prevailing wage rate and comply with other provisions set forth in Sections 4115.03 through 4115.16 of the Ohio Revised Code and Sections 4101:9-4-01 through 4101:9-4-28 of the Ohio Administrative Code, including but not limited to the filing of certified payroll reports;
5. **for public improvement contracts, the contractor** ~~has~~ **shall** not **have** been debarred from public contracts for prevailing wage violations or found or determined by the state to have underpaid the required prevailing wage, whether intentionally or unintentionally, even if settled subsequent to the finding, more than three times in the last ten (~~ten~~) years, provided that, when aggregating for any single project, no finding of an underpaid amount of less than \$1,000.00 shall be considered, and no single finding based upon a journeyman-to-apprenticeship ratio shall be considered a violation of this provision unless as part of multiple, similar findings;
6. **the contractor** ~~has~~ **shall** not **have** been penalized or debarred from any federal, state, or local public contract or falsified certified payroll records, or has otherwise been found, after appeals, to have violated the Fair Labor Standards Act in the past seven years, or during the **contractor's bidder's** entire time of doing business, if less than seven years;
7. **the contractor** ~~has~~ **shall** not **have** violated any unemployment or workers compensation law during the past five years, or during the **contractor's bidder's** entire time of doing business, if less than five years;
8. **the contractor,** at the time of contract award, ~~does~~ **shall** not have final, unsatisfied judgments against it which in total amount to 50% or more of the contract amount;
9. **the contractor** ~~will~~ **shall** utilize, for work performed under the contract supervisory personnel that have three or more years of experience in the specific trade and who maintain the appropriate state license(s), if any;
10. **the contractor** shall be properly licensed to perform all work as follows:
  - a. if performing a trades contract, shall be licensed pursuant to Ohio Revised Code Section 4740 as a heating, ventilating, and air

conditioning contractor, refrigeration contractor, electrical contractor, plumbing contractor, or hydronix contractor.

- b. if performing work regulated under Section 3737.65 of the Ohio Revised Code, be certified by the State Fire Marshall; and
  - c. if performing work under any other trade, occupation, or profession licensed under Title 47 of the Ohio Revised Code, be licensed for that trade, occupation, or profession as provided in the Ohio Revised Code;
11. **the contractor** shall, if performing a trade contract pursuant to Ohio Revised Code Section 4740, not subcontract more than 25% of the labor, excluding materials, for its awarded contract, unless to subcontractors also licensed pursuant to Ohio Revised Code Section 4740 or certified by the State Fire Marshall pursuant to Ohio Revised Code Section 3737.65;
  12. **the contractor** shall provide access as needed and allow the Agency of Inspector General to perform the functions provided for in Section 501.21 of the County Code; and
  13. **the contractor** shall require all of its subcontractors, at the time of execution of a subcontract, to make all of the certifications required in Section 501.15(A) except for subsections 7 and 9, of the County Code.
- B. If any material breach of contractual obligations or the certifications provided for in ~~this Section 501.16 of the County Code~~ occurs during the contract performance by the ~~vendor~~**contractor**, the County may exercise any or all contractual remedies, including but not limited to, contract termination for cause.

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

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

