



AGENDA
CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 13, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
 - a) January 23, 2018 Committee of the Whole Meeting (See Page 12)
 - b) January 23, 2018 Regular Meeting (See Page 14)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**
 - a) **CONSIDERATION OF A RESOLUTION OF COUNCIL FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**
 - 1) R2018-0020: A Resolution making an award on RQ41314 to ZCo Consulting, LLC in the amount not-to-exceed \$264,000.00 for Independent Verification and Validation Services in connection with the Enterprise Resource Planning System

Project for the period 2/2/2018 - 1/31/2020; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 25)

Sponsor: Council President Brady

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

- 1) R2018-0021: A Resolution amending the 2018/2019 Biennial Operating Budget for 2018 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 27)

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

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

- 1) R2018-0022: A Resolution confirming the County Executive's appointment of Sam Thomas III to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2018 - 12/31/2020, and declaring the necessity that this Resolution become immediately effective. (See Page 40)

Sponsor: County Executive Budish

- 2) R2018-0023: A Resolution confirming the County Executive's reappointment of A. Steven Dever to serve, in his official capacity as representative of Cuyahoga County, on the Lake Erie Energy Development Corporation Board of Directors for an unexpired term ending 4/30/2019; and declaring the necessity that this Resolution become immediately effective. (See Page 48)

Sponsor: County Executive Budish

- 3) R2018-0024: A Resolution confirming the County Executive’s reappointment of Lisa M. Hunt to serve on the Cuyahoga County Board of Developmental Disabilities for an unexpired term ending 1/31/2022, and declaring the necessity that this Resolution become immediately effective. (See Page 52)

Sponsor: County Executive Budish

- 4) R2018-0025: A Resolution confirming the County Executive’s reappointment of Yvette Ittu to serve on the Cuyahoga County Audit Committee for an unexpired term ending 12/31/2021, and declaring the necessity that this Resolution become immediately effective. (See Page 56)

Sponsor: County Executive Budish

- 5) R2018-0026: A Resolution confirming the County Executive’s appointment or reappointment of various individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 61)

i) Appointments for the term 3/15/2018 - 3/31/2020:

- a. Tim Leonard
- b. Christy L. Nicholls
- c. Gregory Ryan Duhamell

ii) Reappointments for the term 3/15/2018 - 3/31/2021:

- a. Naimah O’Neal
- b. Dr. Barbara Gripshover
- c. Max Rodas
- d. Marlene Robinson-Statler

Sponsor: County Executive Budish

- 6) R2018-0027: A Resolution authorizing a Purchase and Sale Agreement with DI Rentals, LLC in the amount of \$7,372.00 for the sale of certain County-owned property no longer needed for public use, located at 2035 West 18th Street, Cleveland, Permanent Parcel No. 004-02-067; authorizing the County Executive to take all necessary actions and to execute the agreement and all other documents consistent with this

Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 72)

Sponsor: County Executive Budish/Department of Public Works

- 7) R2018-0028: A Resolution authorizing the County Executive to accept dedication of land for Brock Court and West 19th Place, in connection with Permanent Parcel Nos. 004-02-107, 004-02-109 and an unnumbered parcel, located in Duck Island in the City of Cleveland, as public streets; 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 76)

Sponsor: County Executive Budish/Department of Public Works

- 8) R2018-0029: A Resolution authorizing the County Executive to accept dedication of land for a part of Warrensville Center Road, in connection with Permanent Parcel No. 736-29-043, located in the City of Shaker Heights, as a public street; authorizing the County Executive to execute the final Plat in connection with said dedication; and declaring the necessity that this Resolution become immediately effective. (See Page 80)

Sponsor: County Executive Budish/Department of Public Works.

- 9) R2018-0030: A Resolution authorizing the transfer to Village of Cuyahoga Heights certain excess County-owned property no longer needed for public use, located East of Interstate 77 at East 71st Street, Cuyahoga Heights, for a public purpose; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; and declaring the necessity that this Resolution become immediately effective. (See Page 84)

Sponsor: County Executive Budish/Department of Public Works

- 10) R2018-0031: A Resolution making an award on RQ41307 to W.B. Mason Co., Inc. in the amount not-to-exceed \$2,067,000.00 for general office supplies and related services for the period 4/1/2018 - 3/31/2021; authorizing the County

Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 89)

Sponsor: County Executive Budish/Fiscal Officer/Office of Procurement and Diversity

11) R2018-0032: A Resolution making awards to various municipalities and non-profit organizations, in the total amount of \$1,019,698.00, for various projects in connection with the 2018 Community Development Supplemental Grant Program for the period 3/1/2018 - 2/28/2019; authorizing the County Executive to execute the agreements and contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 96)

- i) One South Euclid in the amount not-to-exceed \$50,000.00 for a Home Repair Grant Program.
- ii) City of Fairview Park in the amount not-to-exceed \$50,000.00 for the Playground Installation at Nelson Russ Park Project.
- iii) Village of Mayfield in the amount not-to-exceed \$50,000.00 for the Grove Amphitheater Phase II Project.
- iv) City of Lakewood in the amount not-to-exceed \$50,000.00 for the Detroit Sloan Gateway Project.
- v) CHN Housing Partners in the amount not-to-exceed \$50,000.00 for the Wiring Replacement Weatherization Program.
- vi) City of Euclid in the amount not-to-exceed \$50,000.00 for the purchase of a Senior Center van.
- vii) Village of Brooklyn Heights in the amount not-to-exceed \$50,000.00 for the Village Park Improvements Project.
- viii) Village of Cuyahoga Heights in the amount not-to-exceed \$50,000.00 for the Sidewalk Extension of East 49th Street to Towpath Trail Project.
- ix) City of Parma Heights in the amount not-to-exceed \$50,000.00 for the Wayfinding and Branding Plan.
- x) Shaker Heights Development Corporation in the amount not-to-exceed \$50,000.00 for the Streetscape Enhancements of Lee Road Project.

- xi) City of Broadview Heights in the amount not-to-exceed \$50,000.00 for the Community Amphitheater Construction Project.
- xii) City of Strongsville in the amount not-to-exceed \$50,000.00 for the Senior Center Meeting Room Upgrade Project.
- xiii) Famicos Foundation in the amount not-to-exceed \$50,000.00 for the Cultural Gardens Welcome Center Project.
- xiv) Village of Oakwood in the amount not-to-exceed \$50,000.00 for the Railroad Crossing Improvement at Richmond Road Project.
- xv) Village of Glenwillow in the amount not-to-exceed \$50,000.00 for the Railroad Crossing Improvement at Richmond Road Project.
- xvi) City of Olmsted Falls in the amount not-to-exceed \$50,000.00 for the Downtown Safety and Aesthetic Improvements Project.
- xvii) City of Maple Heights in the amount not-to-exceed \$49,945.00 for the Lee/Libby Pocket Park Improvement Project.
- xviii) City of Middleburg Heights in the amount not-to-exceed \$50,000.00 for the Resurfacing of Old Pleasant Valley Road Project.
- xix) City of Richmond Heights in the amount not-to-exceed \$48,000.00 for the Greenwood Farm Sanitary Sewer Project.
- xx) Kamm's Corners Development Corporation in the amount not-to-exceed \$26,753.00 for the Parking Lot Security Upgrades Project.
- xxi) Bedford Community Development Corporation in the amount not-to-exceed \$45,000.00 for the Storefront Renovation Program.

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

- 12) R2018-0033: A Resolution authorizing a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$2,867,102.00 for management and administration of the Family Child Care Homes Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and

declaring the necessity that this Resolution become immediately effective. (See Page 103)

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

- 13) R2018-0034: A Resolution authorizing a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$1,587,702.00 for administration and coordination of the Teacher Education and Compensation Help and Early Care and Education Center Capacity Expansion Program and Child Care Resource Referral Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.(See Page 108)

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

- 14) R2018-0035: A Resolution authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 113)

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

- 15) R2018-0036: A Resolution authorizing an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$733,890.00 for administration and coordination of the MomsFirst Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 117)

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

- 16) R2018-0037: A Resolution authorizing a contract with Family Connections of Northeast Ohio in the amount not-to-exceed \$500,172.00 for fiscal and administrative services for the Supporting Partnerships to Assure Ready Kids Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 121)

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

- 17) R2018-0038: A Resolution authorizing a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$3,967,986.00 for management and administration of the Special Needs Child Care Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 126)

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

- 18) R2018-0039: A Resolution authorizing an agreement with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,495,058.00 for fiscal agent and administrative services for the Bright Beginnings and Parents as Teachers Programs for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 131)

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

- 19) R2018-0040: A Resolution authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 136)

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

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

- 1) R2018-0010: A Resolution authorizing the use of a portion of the proceeds of the Cuyahoga County Sales Tax Revenue Bonds, Series 2014 (County Facilities Improvement), in an aggregate principal amount not-to-exceed \$24,000,000.00 for the purposes of paying certain costs of demolition of blighted and nuisance properties and making grants therefor; authorizing other actions related to the use of such proceeds; and declaring the necessity that this Resolution become immediately effective. (See Page 141)

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

Committee Assignment and Chair: Finance & Budgeting – Miller

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

- 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 2/13/2018; 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 147)

Sponsor: County Executive Budish/Department of Public Works

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

- 2) R2018-0019: A Resolution making an award on RQ41056 to Terik Roofing, Inc. in the amount not-to-exceed \$3,068,857.00 for the Virgil E. Brown Building Roof Replacement Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 150)

Sponsor: County Executive Budish/Department of Public Works

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

e) CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2018-0001: An Ordinance providing for modifications to and adoption of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective. (See Page 152)

Sponsor: County Executive Budish/Department of Human Resources

- 2) O2018-0002: An Ordinance enacting Title 13, Chapter 1301 of the Cuyahoga County Code to establish the Cuyahoga County Consumer Protection Code; amending Section 202.16(A)(7) of the Cuyahoga County Code to clarify the duties and responsibilities of the Department of Consumer Affairs/ Division of Consumer Protection. (See Page 241)

Sponsor: County Executive Budish/Department of Consumer Affairs

- 3) O2018-0003: An Ordinance enacting Title 13, Chapter 1302 of the Cuyahoga County Code to establish the Cuyahoga County Weights and Measures Code. (See Page 252)

Sponsor: County Executive Budish/Department of Consumer Affairs

- 11. MISCELLANEOUS COMMITTEE REPORTS
- 12. MISCELLANEOUS BUSINESS
- 13. PUBLIC COMMENT UNRELATED TO AGENDA
- 14. ADJOURNMENT

NEXT MEETINGS

COMMITTEE OF THE WHOLE

TUESDAY, FEBRUARY 27, 2018
TBD / COUNCIL CHAMBERS

REGULAR MEETING:

TUESDAY, FEBRUARY 27, 2018
5:00 PM / COUNCIL CHAMBERS

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

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



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 23, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
4:00 PM

1. CALL TO ORDER

Council President Brady called the meeting to order at 4:02 p.m.

2. ROLL CALL

Council President Brady asked Clerk Schmotzer to call the roll. Councilmembers Schron, Conwell, Brown, Houser, Baker, Miller, Tuma, Gallagher, Brady and Simon were in attendance and a quorum was determined. Councilmember Jones entered the meeting sometime after the roll-call for Executive Session.

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 Graphic Communications Conference of the International Brotherhood of Teamsters, Local 546M of District Council 3, representing approximately 8 employees in the classification of Printing Machine Operator at the County Print Shop for the period 2/1/2018 - 1/31/2021.

b) Pending or imminent litigation.

A motion was made by Mr. Miller, seconded by Ms. Conwell and approved by unanimous roll-call vote to move to Executive Session for the purposes of discussing collective bargaining matters and pending or imminent litigation and for no other purposes whatsoever. Executive Session was then called to order by Council President Brady at 4:04 p.m. The following

Councilmembers were present: Schron, Conwell, Brown, Houser, Simon, Baker, Miller, Tuma, Gallagher and Brady. Councilmember Jones entered Executive Session sometime after roll-call was taken. The following additional attendees were present: Director of Law Robert Triozzi, Deputy Chief Law Director Nora Hurley, Council Chief of Staff Joseph Nanni, Legislative Budget Advisor Trevor McAleer, Special Counsel Michael King, Cuyahoga County Prosecuting Attorney Michael O'Malley and Civil Division Chief David Lambert. At 4:56 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

There were no public comments given unrelated to the agenda.

7. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 4:57 p.m., without objection.



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JANUARY 23, 2018
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4TH FLOOR
5:00 PM**

Prior to the start of the meeting, the Honorable Anita Laster Mays, Judge, Court of Appeals of Ohio, Eighth Appellate District, administered the oath of office to Councilmember Michael J. Houser.

1. CALL TO ORDER

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

2. RECEIPT OF CERTIFICATION BY DEMOCRATIC PARTY CENTRAL COMMITTEE OF COUNTY COUNCIL DISTRICT 10 FOR APPOINTMENT OF MICHAEL J. HOUSER

Council President Brady acknowledged receipt of the certification by the Democratic Central Committee of County Council District 10 for the appointment of Michael J. Houser.

3. SWEARING-IN CEREMONY FOR NEWLY-APPOINTED CUYAHOGA COUNTY COUNCILMEMBER MICHAEL J. HOUSER

[Clerk's note: This item was taken out of order prior to the start of the meeting.]

4. ROLL CALL

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

5. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

6. SILENT MEDITATION

Council President Brady asked for a moment of silent meditation in memory of Valeria A. Harper, Chief Executive Officer for the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, who recently passed away.

7. PUBLIC COMMENT RELATED TO AGENDA

Reverend Pamela Pinkney Butts addressed Council regarding various agenda-related items.

8. APPROVAL OF MINUTES

- a) January 9, 2018 Committee of the Whole Meeting
- b) January 9, 2018 Regular Meeting

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to approve the minutes of the January 9, 2018 Committee of the Whole and Regular meetings.

9. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from Council President Brady.

10. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported that, with Council's consideration and approval, renewal of the Health and Human Services levy will be placed on the ballot for the May 8, 2018 primary election. He also stressed the importance of the levy and why it should be passed.

11. 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. R2018-0016, R2018-0017 and R2018-0018.

- 1) R2018-0016: A Resolution extending the appointment of Interim Director of the Department of Health and Human Services Walter Parfejewiec, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

On a motion by Mr. Brady with a second by Mr. Tuma, Resolution No. R2018-0016 was considered and adopted by unanimous vote.

- 2) R2018-0017: A Resolution amending the 2018/2019 Biennial Operating Budget for 2018 by providing for additional fiscal appropriations from the General Fund and other funding sources, for appropriation transfers between budget accounts and for cash transfers between budgetary funds, in order to meet the budgetary needs of various County departments, offices and agencies; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2018-0017 was considered and adopted by unanimous vote.

- 3) R2018-0018: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Graphic Communications Conference of the International Brotherhood of Teamsters, Local 546M of District Council 3, representing approximately 8 employees in the classification of Printing Machine Operator at the County Print Shop for the period 2/1/2018 - 1/31/2021; 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 and Public Works/Division of Finance and Planning

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2018-0018 was considered and adopted by unanimous vote.

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

- 1) R2018-0019: A Resolution making an award on RQ41056 to Terik Roofing, Inc. in the amount not-to-exceed \$3,068,857.00

for the Virgil E. Brown Building Roof Replacement Project; 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

Council President Brady referred Resolution No. R2018-0019 to the Public Works, Procurement & Contracting Committee.

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

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2017-0241, R2017-0242, R2017-0243, R2017-0244, R2018-0008, R2018-0009, R2018-0011, R2018-0012, R2018-0013, R2018-0014 and R2018-0015.

[Clerk's note: Item No. 11.c)11) was taken out of order prior to Item No. 11.c)1].]

- 1) R2017-0241: A Resolution declaring that public convenience and welfare requires resurfacing of Wallings Road from Broadview Road to the Broadview Heights East Corporation Line in the City of Broadview Heights; total estimated project cost \$2,060,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2017-0241 was considered and adopted by unanimous vote.

- 2) R2017-0242: A Resolution authorizing a contract with The Salvation Army in the amount not-to-exceed \$537,741.00 for

the PASS Rapid Re-Housing Program for Single Adults in connection with FY2016 HUD Continuum of Care Homeless Assistance Grant Programs for the period 10/1/2017 - 9/30/2018; 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/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services and Councilmember Conwell

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

On a motion by Ms. Conwell with a second by Ms. Brown, Resolution No. R2017-0242 was considered and adopted by unanimous vote.

- 3) R2017-0243: A Resolution authorizing an amendment to Contract No. CE1600077-01 with Youth Opportunities Unlimited for the Temporary Assistance to Needy Families Summer Youth Employment Program for the period 5/1/2016 - 12/31/2017 to extend the time period to 12/31/2018, to change the scope of services, effective 1/1/2018, and for additional funds in the amount not-to-exceed \$8,673,699.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services and Councilmembers Miller and Baker

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

On a motion by Ms. Conwell with a second by Mr. Miller, Resolution No. R2017-0243 was considered and adopted by unanimous vote.

- 4) R2017-0244: A Resolution making awards on RQ40361 to various providers for various programs and services for the Cuyahoga County Fatherhood Initiative for the period 1/1/2018 - 12/31/2018; authorizing the County Executive to execute the agreements and contracts and all other

documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) The MetroHealth System in the amount not-to-exceed \$44,000.00 for the Boot Camp for New Dads Program.
- ii) Domestic Violence & Child Advocacy Center in the not-to-exceed \$123,000.00 for the Supervised Visitation Program.
- iii) The Children's Museum of Cleveland in the amount not-to-exceed \$30,000.00 for the Dad's Count Program.
- iv) The Center for Families and Children in the amount not-to-exceed \$83,000.00 for the Families and Fathers Together Program.
- v) University Settlement in the amount not-to-exceed \$52,000.00 for the Healthy Fathering Program.
- vi) Passages Connecting Fathers and Sons Inc. in the amount not-to-exceed \$100,000.00 for the Jobs for Dads Program.
- vii) The Cuyahoga County District Board of Health in the amount not-to-exceed \$70,000.00 for the Prevent Premature Fatherhood Program.
- viii) JDC Advertising in the amount not-to-exceed \$70,000.00 for a Public Awareness Campaign.
- ix) Career Development and Placement Strategies in the amount not-to-exceed \$100,000.00 for the Rising Above Program.
- x) Murtis Taylor Human Services System in the amount not-to-exceed \$60,000.00 for the Strong Fathers Program.
- xi) Towards Employment, Incorporated in the amount not-to-exceed \$100,000.00 for the Network 4 Success Fatherhood Program.

Sponsors: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services and Councilmembers Brown, Conwell, Houser and Miller

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

On a motion by Ms. Conwell with a second by Ms. Brown, Resolution No. R2017-0244 was considered and adopted by unanimous vote.

- 5) R2018-0007: A Resolution making an award on RQ40411 to Project Management Consultants LLC in the amount not-to-exceed \$800,000.00 for owner’s representative services in connection with the Justice Center Complex Project for the period 2/1/2018 - 1/31/2020; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

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

Clerk Schmotzer read Resolution No. R2018-0007 into the record.

This item will move to the February 13, 2018 Council meeting agenda for consideration for third reading adoption.

- 6) R2018-0008: A Resolution authorizing a revenue generating Utility Agreement with City of East Cleveland for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 24; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2018-0008 was considered and adopted by unanimous vote.

- 7) R2018-0009: A Resolution authorizing a revenue generating agreement with Greater Cleveland Regional Transit Authority in the amount not-to-exceed \$1,334,000.00 for sanitary and storm sewer maintenance and other services at various facilities located in Cuyahoga County for the period 1/1/2018 - 12/31/2024; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2018-0009 was considered and adopted by unanimous vote.

- 8) R2018-0011: A Resolution authorizing an Economic Development Fund Place-based/Mixed-use Loan in the amount not-to-exceed \$2,000,000.00 to ~~Cleveland Euclid Hotel Associates LLC~~ **CAC Project 2014 Developer LLC** for the benefit of the Cleveland Athletic Club Reuse Project, located at 1118-1148 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. [Pending Committee Recommendation]

Sponsors: County Executive Budish/Department of Development **and Councilmembers Conwell, Schron and Jones**

Committee Assignment and Chair: Economic Development & Planning – Schron

[Clerk's Note: Resolution No. R2018-0011 was substituted during the Economic Development & Planning Committee meeting prior to the Regular meeting in order to change the name of the borrower and was subsequently recommended for consideration for second reading adoption under suspension of the rules by the Committee.]

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2018-0011 was considered and adopted by unanimous vote.

- 9) R2018-0012: A Resolution making an award on RQ38826 to University Hospitals Rainbow Babies & Children's Hospital in the amount not-to-exceed \$2,400,000.00 for health care and management services at the Juvenile Court Detention Center for the period 1/1/2018 - 12/31/2019; 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.

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 Ms. Brown, Resolution No. R2018-0012 was considered and adopted by unanimous vote.

- 10) R2018-0013: A Resolution authorizing an agreement with Cuyahoga County Board of Developmental Disabilities in the amount not-to-exceed \$1,200,000.00 for Individual Options Waiver eligibility verification services for reimbursement of Medicaid Home and Community-Based Services for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution, and declaring the necessity that this Resolution become immediately effective.

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

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

On a motion by Ms. Conwell with a second by Ms. Brown, Resolution No. R2018-0013 was considered and adopted by unanimous vote.

[Clerk's note: Item No. 11.c)11) was taken out of order prior to Item No. 11.c)1].]

- 11) R2018-0014: A Resolution declaring the necessity of submitting to the electors of Cuyahoga County the question of a renewal levy of 3.9 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of two years, outside the ten mill limitation, in accordance with the provision of Section 5705.191 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish and Councilmembers Brady, Miller, Conwell, Jones, Gallagher, Schron, Simon, Tuma, Baker, Brown and Houser

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

On a motion by Ms. Conwell with a second by Mr. Schron, Resolution No. R2018-0014 was considered and adopted by unanimous vote.

After adoption by Council, Resolution No. R2018-0014 was executed by the Clerk of Council, Council President and County Executive; a copy of the Resolution was then certified by the Clerk of Council and presented to the Fiscal Officer.

Prior to adoption of Resolution No. R2018-0015, Council President Brady acknowledged receipt of and accepted the Fiscal Officer's Certificate of Estimated Property Tax Revenue dated January 23, 2018 on behalf of Council.

- 12) R2018-0015: A Resolution determining to proceed with submitting to the electors of Cuyahoga County to renew an existing 3.9 mill Health and Human Services levy for the purpose of supplementing general fund appropriations for health and human or social services, for a period of two years, outside the ten mill limitation, in accordance with the provisions of Section 5705.191 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish and Councilmembers Brady, Miller, Conwell, Jones, Gallagher, Schron, Simon, Tuma, Baker, Brown and Houser

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

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2018-0015 was considered and adopted by unanimous vote.

12. MISCELLANEOUS COMMITTEE REPORTS

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, January 29, 2018 at 1:00 p.m.

Mr. Tuma reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, January 31, 2018 at 10:00 a.m.

13. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

14. PUBLIC COMMENT UNRELATED TO AGENDA

The following individuals addressed Council regarding various public transportation issues and funding:

- a) Mr. Akshai Singh
- b) Mr. Dan McCarthy
- c) Ms. Loh

15. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 5:48 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0020

Sponsored by: Council President Brady	A Resolution making an award on RQ41314 to ZCo Consulting, LLC in the amount not-to-exceed \$264,000.00 for Independent Verification and Validation Services in connection with the Enterprise Resource Planning System Project for the period 2/2/2018 - 1/31/2020; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Council President has recommended an award on RQ41314 to ZCo Consulting, LLC in the amount not-to-exceed \$264,000.00 for Independent Verification and Validation Services in connection with the Enterprise Resource Planning (“ERP”) System Project for the period 2/2/2018 - 1/31/2020; and

WHEREAS, the primary goal of this project is to provide independent verification, validation and oversight of the ERP System Project; and

WHEREAS, the project is funded 100% by the ERP Project Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ41314 to ZCo Consulting, LLC in the amount not-to-exceed \$264,000.00 for Independent Verification and Validation Services in connection with the Enterprise Resource Planning System Project for the period 2/2/2018 - 1/31/2020.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0021

Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management	A Resolution amending the 2018/2019 Biennial Operating Budget for 2018 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 12, 2017, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program for 2018/2019 (Resolution No. R2017-0182) establishing the 2018/2019 biennial budget for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2018 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 2018/2019 Biennial Operating Budget for 2018 be amended to provide for the following additional appropriation increases and decreases:

Fund Nos./Budget Accounts

Journal Nos.

A.	20AA05 – Law Enforcement CPT			BA1801504
	SH456616 – Law Enforcement CPT			
	Other Expenses	\$	5,000.00	

Additional appropriations being requested for the Sheriff's Law Enforcement continuing Professional Training (CPT) index. This index is usually strictly for law enforcement training related expenses. Funding comes from the Ohio Attorney General, Peace Officer Training Commission. The current cash balance in this fund is \$54,982.55.

B.	24A301 – Children & Family Services			BA1801505
	CF135012 – Tapestry System of Care			
	Personal Services	\$	482,155.00	
	Other Expenses	\$	3,424,417.00	

Appropriation is being requested to fund the new Tapestry index code within the Department of Children and Family Services (DCFS). This index has been created to move Tapestry expenses under the 24A301 subfund of Public Assistance Funds, thus eliminating the need for multiple subfunds under DCFS. Moving forward DCFS will operate with two subfunds 24A301(Public Assistance Funds) and 20A303 (Children Services Fund). Funding comes from the Health and Human Services Levy.

C.	20A187 – Sustainability Projects			BA1803016
	SY303057 – Sustainability Projects			
	Other Expenses	\$	14,000.00	

Appropriation is requested for various sustainability projects. The appropriation would be used for consultation regarding Phase II of the Cleveland microgrid project (\$12,500) and for discounts for employees to purchase bike share memberships (\$1,500). These projects were appropriated for \$26,500 in the 2017 budget (BA1703171), and this request would re-appropriate the unused balance in the 2018 budget. Funding comes from various sources including donations, awards, and proceeds from energy hub financing projects. The cash balance as of December 31, 2017 was \$55,565.00.

D.	21A180 – The S.P.A.R.K. Project			BA1809027
	EC720995 – The S.P.A.R.K. Project			
	Other Expenses	\$	25,000.00	

The Office of Early Childhood - Invest in Children requests to appropriate The Char & Chuck Fowler Family Foundation grant award for the Spark Program, funds were received and deposited with the Treasury 1/22/2018.

E.	30A922 – 2015 Excise Tax Debt Service			BA1809028
	DS040196 – 2015 Excise Tax Debt Service			
	Other Expenses	\$	6,926,000.00	

The Office of Budget and Management requests appropriation for Excise Tax debt service on bonds issued for Gateway Capital Improvements due during 2018. Funding source is the Excise Tax. Voters approved the excise tax on cigarette, beer, wine, mixed and hard liquor, for an

additional 20 years in 2014 for improvements to Gateway facilities and 1/3rd share paid to the City of Cleveland for the Browns Stadium.

F. 40A069 – Capital Projects **BA1810525**
 IT768333 – Enterprise Resource Planning - ERP
 Other Expenses \$ 247,886.71

Appropriation increase for a new contract with Hyland Software for a period of 01/16/2018-04/30/2019, with a not to exceed amount of \$247,886.71. This contract is for OnBase licenses for the ERP/OnBase integration.

G. 20A800 – Subsidy – Operation & Maint. of Det. Fac. **BA1810526**
 JC372300 – Subsidy – Operation & Main. of Det. Fac.
 Other Expenses \$ 5,000.00

Appropriation increase for detention subsidy to cover for restitution payments. Funding from Detention Operation Subsidy, which had a cash balance of \$131,000 as of 01/23/2018.

H. 24A641– PA-Homeless Services **BA1810529**
 HS158097 – PA-Homeless Services
 Other Expenses \$ (96,475.00)

An appropriation reduction of two contracts that were decertified on January 23, 2018. Both contracts have expired, all expenses have been paid.

I. 20A334 – Juv Crt – ADR Alternative Dispute Res **BA1810530**
 JC510925 – Ju Crt – ADR AlternDispute Resolu
 Other Expenses \$ 220,550.00

Appropriation increase to pay for Juvenile Court's Courtsmart Digital Recording Contract, with dates of service from 01/01/2018-12/31/2018. As of 01/25/2018 the cash balance of the Court's ADR fund is \$1,138,989.63.

J. 40A069 – Capital Projects **BA1810531**
 IT704247 – Switch Refresh
 Capital Outlays \$ 619,439.87

Appropriation increase to cover the final year of the Switch Refresh AT&T Contract, 01/01/2018-12/31/2018 dates of service. This index was originally funded by capital projects but was moved over to the General Fund in late 2017.

K. 20R320 – Board of Developmental Disabilities **BA1810532**
 MR441535 – Res Serv/Lomand Road Home
 Capital Outlays \$ (6,000.00)

 20R320 – Board of Developmental Disabilities
 MR442764 – Res Serv/Tremont House
 Capital Outlays \$ (2,000.00)

Appropriation reduction to remove carryover encumbrances that was unable to be decertified in 2017. Contract terms have expired, and all expenses paid.

L.	20A819 – Geographic Information System		BA1810533
	CE470583 – Geographic Information System Project		
	Other Expenses	\$	(26,675.72)

Appropriation reduction to remove a carryover encumbrance that was unable to be decertified in 2017. Contracts have expired, and all expenses paid.

M.	26A601 – General Gas & License Fees		BA1810534
	CE411058 – Cty Eng - Admin		
	Other Expenses	\$	(80,115.38)

Appropriation reduction to remove carryover encumbrances that were unable to be decertified in 2017. Contracts have expired, and all expenses paid.

N.	20A059 – Veterans Services Fund		BA1812017
	VF491001 – Veterans Services Fund		
	Other Expenses	\$	(189,184.00)

The Office of Budget Management is requesting an appropriation reduction to the Veterans Services Fund for \$189,184.00. This amount reflects the corrected 2018 budget consisting of the original budget of \$475,066 that was based on third quarter estimate of the Veterans Services Commission 2017 ending appropriation adjusted for the actual ending balance in the 2017 Veterans Services Commission of \$194,604. The difference is \$280,462 however that amount is being adjusted by \$91,278 to reflect the amount of the 2017 appropriation in the Veterans Services Fund thus the required adjustment is \$189,184. The cash balance in the Veterans Services Fund as of 1-Jan-18 is \$112,529.18 that represents the 2017 carryover encumbrance of \$21,251 and the unused appropriations of \$91,278.18. Funding is from the General Fund.

O.	01A001– General Fund		BA1812018
	SU515346 – General Fund Operating Subsidies		
	Other Expenses	\$	(283,705.00)

The Office of Budget Management is requesting an appropriation reduction to the General Fund Subsidies Account of \$283,705.00. This represents the original budget for the subsidy of \$478,309 less the amount required in 2018 for the Veterans Services Fund (as explained on document BA1812017). Funding is from the General Fund.

P.	21A102 – SAMHSA Veterans Treatment Court FY15-16		BA1812019
	CO755181 – SAMHSA Veterans Treatment Court FY15-16		
	Personal Services	\$	160,901.00
	Other Expenses	\$	164,099.00

The Common Pleas Court is requesting an appropriation increase for \$325,000.00. This request is necessary to set up the 3rd Year appropriations for the Cuyahoga County Veterans Treatment Court Grant. Funds will be used for salary, fringes, travel, and contractual services. Funding is from the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration Center for Substance Abuse Treatment. The grant is in the amount of \$325,000.00 for year III. Funding is provided by the Substance Abuse and Mental Health Services Administration for the period of 9/30/15 through 9/29/18. The current state of the grant has been appropriated to \$650,000. and is currently 84% expended.

Q. 20D447 – Economic Development Fund **BA1812021**
 DV520676 – Cuyahoga County Western Reserve Fund
 Other Expenses \$ 250,000.00

The Department of Development is requesting an appropriation increase of \$250,000.00 in the Cuyahoga County Western Reserve/Job Creation Fund. This is to support the amendment to the agreement with the City of Cleveland (AG1400107-02) for Cleveland Small Business Loan Initiative Program, extending period to 9/30/2019. This was approved by Board of Control (BC2017-946), stemming from original legislation, also approved by Board of Control (BC2014-153). Funding is provided by the Cuyahoga County Western Reserve/Job Creation Fund, which has a cash balance of \$27.8 million.

R. 01A001– General Fund **BA1813518**
 PR151977 – ICAC GF Task Force
 Other Expenses \$ 1,000.00

Requesting additional appropriations due to a donation in the amount of \$1,000 received from Target to help with expenses for the ICAC canine investigator. Please refer to RR1800386-01 which posted to FAMIS on 01/12/2018.

S. 21A598 – State Homeland Security Program **BA1813519**
 JA759761 – State Homeland Security Program FY ‘17
 Other Expenses \$ 249,351.84
 Capital Outlays \$ 467,684.87

Requesting to establish appropriations for the FY2017 State Homeland Security Grant Program. This a federal pass-thru grant funded awarded by the Ohio Emergency Management Agency through the Federal Emergency Management Agency (FEMA) in the amount of \$717,036.71. The period for this grant is September 1, 2017 to March 31, 2020, CFDA#97-067. The approval (CON2017-107) to submit a grant award was accepted on December 4, 2017. The award letter was approved by the County Executive on December 7, 2017.

T. 40A069 – Capital Projects **BA1815023**
 CC767863 – Airport Roof Replacement
 Other Expenses \$ 910.00

Appropriation increase in preparation for cash transfer and project closure. The Airport Roof Replacement Project was set up in 2010 where 80.12% of the project was expended. The project was funded by the General Fund Capital Improvement Subsidy. The Current Cash Balance is \$114,795.09 which will be transferred back to the General Fund.

U. 40A069 – Capital Projects **BA1815025**
 CC769174 – Domestic Relations Court Renovations
 Capital Outlays \$ (2,378.88)

Reduce appropriations in this preparation for project closure. This project was set up in 2017 where 94.19% of the project was expended. This project was funded by Capital Project General Fund Subsidy and currently has no remaining cash in the project.

V. 40A069 – Capital Projects			BA1815029
CC769406 – Halle Bldg Parking Lot Design/Construct.			
Other Expenses	\$	5,000.00	

To setup a new project for Halle Building Parking Lot Project. Total estimated cost of the project is \$800,000.00. The design portion of this project (\$50,000.00) was on the 2016 CIP and the construction portion (\$750,000.00) was on the 2017 CIP. Only \$5,000 is being asked to appropriate at this time to allow the project to go out to bid. The remaining appropriations will be requested when the actual costs are determined and as needed.

W. 01A004 – .25% Sales Tax			BA1815033
MI512699 – .25% Sales Tax			
Other Expenses	\$	5,000,000.00	

Appropriation Increase in preparation for a cash transfer from the 0.25% Fund to the General Operating Fund totaling \$9.5 million. This cash transfer consists of \$2 million of the cost of the work done on Lakeside Avenue between the Hilton Hotel and the Huntington Garage, \$1 million in anticipation of the transfer of the 2017 annual operating surplus from the CCCFDC to the County, and \$6.5 million based on the operating surplus (defined as revenue exceeding expenditures) in the 0.25% Fund. Funding comes from the .25% County Sales Tax and as of January 1st, 2018, there was a cash balance of \$43,509,879.00.

X. 20A099 – TASC Medicaid Funds (CO)			BA1812023
CO456525 – TASC Medicaid Funds (CO)			
Other Expenses	\$	125,840.00	
Capital Outlays	\$	15,000.00	

Common Pleas Court is requesting an appropriation increase of \$140,840.00 in the TASC Medicaid Fund. This is a request to increase appropriation in the TASC Medicaid Special Revenue Fund to cover the cost of scanning the TASC client files. Due to the medical nature of the files, HIPAA and security compliance requirements had to be met. The Special Revenue Fund currently has sufficient cash to cover this expense (cash balance \$1.6 mil as of 31-Jan-18).

Y. 20A695 – Clerk of Courts Computerization			BA1812025
CO576199 – Common Pleas Computerization			
Capital Outlays	\$	250,000.00	

Common Pleas Court is requesting an appropriation increase of \$250,000.00 in the Common Pleas Computerization Fund. This is a request to increase appropriation for the computer refreshment that will be taking place. Funding is provided by the Clerk of Courts/Common Pleas Computerization Fund, which currently has a cash balance of \$531,000 as of 1-Feb-18.

SECTION 2. That the 2018/2019 Biennial Operating Budget for 2018 be amended to provide for the following appropriation transfers:

<u>Fund Nos./Budget Accounts</u>			<u>Journal Nos.</u>
A. FROM: 01A001 – General Fund			BA1810521
IT601179 – IT capital and Systems			
Capital Outlays	\$	916,050.00	

TO: 01A001 – General Fund
 IT601021 – Information Technology Administration
 Other Expenses \$ 916,050.00

Transfer of appropriations from IT Capital and Systems, to IT Administration Contracts, for the purchase of items from the Reverse Auction Contracts for 2018.

B. FROM: 01A001 – General Fund **BA1810522**
 IT601088 – Security and Disaster Recovery
 Other Expenses \$ 47,352.50

TO: 01A001 – General Fund
 IT601104 – Mainframe Operation Services
 Other Expenses \$ 47,352.50

Transfer of appropriations from IT Security and Disaster Recovery Contracts, to IT Mainframe Operations Contracts, for the Net Activity Contract This contract was originally budgeted in Security & Disaster but moved to Mainframe Operations.

C. FROM: 24A510 – Work & Training Admin **BA1813520**
 WT137315 – Work First Services
 Other Expenses \$ 30,290.00

TO: 24A510 – Work & Training Admin
 WT137430 – Ohio City NFSC
 Other Expenses \$ 30,290.00

Requesting an appropriation transfer to cover the lease payments for the Ohio City Neighborhood Family Service Center for 2018. This expense is covered by 9.4% Health and Human Service Levy Funds and 90.6% Public Assistance Funds.

D. FROM: 40A069 – Capital Projects **BA1815022**
 CC767863 – Airport Roof Replacement
 Personal Services \$ 6,806.13
 Capital Outlays \$ 93,450.60

TO: 40A069 – Capital Projects
 CC767863 – Airport Roof Replacement
 Other Expenses \$ 100,256.73

Appropriation transfer in preparation for cash transfer and project closure. This project was set up in 2010 where 80.12% of the project was expended. This project was funded by the General Fund Capital Improvement Subsidy. The current cash balance in this project is \$114,795.09 which will be transferred back to the General Fund.

E. FROM: 01A001 – General Fund **BA1815032**
 FS109637 – Financial Reporting
 Personal Services \$ 153,502.00

TO: 01A001 – General Fund
 FS109611 – Fiscal Office Administration
 Personal Services \$ 153,502.00

Appropriation transfer from Financial Reporting to Fiscal Office Administration for the salaries and benefits of the new Tax Administrator position that will be under Fiscal Office Administration. This transfer is necessary for the restructuring of the position. Funding comes from the General Fund.

SECTION 3. That the 2018/2019 Biennial Operating Budget for 2018 be amended to provide for the following cash transfers between County funds:

<u>Fund Nos./Budget Accounts</u>	<u>Journal Nos.</u>
A. FROM: 26A650 – \$5.00 Road Capital Improvements	JT1803017
CE418053 – Cty Eng - \$5 Lic Tax Fund	
Transfer Out \$ 28,532.08	
40A526 – ODOT - LPA	
CE785006 – ODOT - LPA	
Transfer Out \$ 53,644.89	
TO: 40A526 – ODOT - LPA	
CE785006 – ODOT - LPA	
Revenue Transfer \$ 28,532.08	
26A650 – \$5.00 Road Capital Improvements	
CE418053 – Cty Eng - \$5 Lic Tax Fund	
Revenue Transfer \$ 53,644.89	

The request would transfer cash into the Lakeshore Boulevard Project and out of the Emery Road Project in preparation to close those two projects. The cash balance in the ODOT LPA fund was \$6,459,165 and the cash balance in the \$5 Capital Improvement Fund was \$4,803,529 as of December 31, 2017.

B. FROM: 29A392 – Health & Human Services Levy 3.9	JT1810520
SU515338 – Health & Human Serv. Levy 3.9 Subsidies	
Transfer Out \$ 9,840,914.75	
TO: 20A317 – ADAMHSBCC (as of 07/01/2009)	
MH431056 – BH-Administrative Oper Budget	
Revenue Transfer \$ 9,840,914.75	

Subsidy for 2018 first quarter support of the Alcohol Drug Addiction Mental Health Board based on the amount approved in the 2018 budget (R2017-0182). Funding comes from the HHS Levy.

C. FROM: 01A001 – General Fund	JT1812012
SU515346 – General Fund Operating Subsidies	
Transfer Out \$ 194,604.00	

TO: 20A059 – Veterans Services Fund
 VF491001 – Veterans Services Fund
 Revenue Transfer \$ 194,604.00

The Office of Budget Management is requesting an operating transfer for \$194,604.00. This is to provide the full amount of the budgeted General Fund subsidy to the Veterans Services Fund account. The total budget for the subsidy in 2018 is now \$194,604.00 after adjustments to the Veterans Services Fund (BA1812017 & BA1812018) to account for 2017 Year End Balance in the Veterans Services Commission, which was \$194,604.00. Funding is provided by the General Fund, covering the period January 1, 2018 through December 31, 2018.

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

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

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

Yeas:

Nays:

 County Council President Date

 County Executive Date

Clerk of Council

Date

Journal CC029
February 13, 2018



ARMOND BUDISH
Cuyahoga County Executive

TO: Jeanne Schmotzer, Clerk of County Council
FROM: Maggie Keenan, Office of Budget and Management
CC: Dennis Kennedy, Fiscal Office
DATE: February 5, 2018
RE: Fiscal Agenda – 02-13-2018 Council Meeting

The Office of Budget & Management requests that the members of County Council consider the attached fiscal resolution for approval on first reading at the meeting on **February 13, 2018**. The requested fiscal items, including additional appropriations, appropriation transfers, and cash transfers, are necessary to cover expenses.

This agenda includes the following requests:

- A \$3.9 million appropriation increase to the Tapestry program in the Department of Children and Family Services. Tapestry began as a stand-alone program, with its own account codes and fund; when it was folded into the Children & Family Services, Tapestry retained a separate fund, which requires an annual subsidy. This request seeks to consolidate the funds in Children & Family Services. Upon approval of this request, the expenses in the existing fund will be transferred and the appropriation decreased. Ultimately, there will be no net impact on the Children and Family Services budget or the Health and Human Services Levy Fund.
- A request to appropriate 2018 debt service on the 2015 Excise Tax Revenue Bonds issued in 2015 to support capital projects and repairs at Progressive Field and the Q Arena. Debt service is fully supported by revenue collected from taxes on alcohol and cigarette sales. Unlike the other debt issues, the Excise Tax issue is not in the County's budget and reporting system, therefore it was not included in the original adopted budget. This will change when the County migrates to the ERP.
- A request to increase appropriation to the Switch Refresh project managed by the Department of Information Technology. This project was one of two IT projects supported by the proceeds of the 2014 Sales Tax Revenue Bonds issue. Upon approval of this request, this project will be fully appropriated. The current cash balance in the project fund totals approximately \$750,000, which equals total encumbrances. This appropriation request will be supported by the County's General Fund.
- Requests to reconcile the Veterans Services Fund budget in 2018. This Fund's budget is equal to the prior year surplus in the Veterans Services Commission budget. What was included in the original adopted budget was based on an estimate at the time, actual expenses at year end were higher than projected (due largely to controlled charges).
- Several requests to increase and decrease appropriation as appropriate to close out capital projects that were on the 2017 CIP but have been completed. Upon approval of the appropriation increases, the cash balances in the fund will be returned to the General Fund.

- Two requests to transfer appropriation within the General Fund budget for the Department of Information Technology; the original budget adopted by Council mirrored what the Department had requested, but now this transfer is being requested by the Department to post expenses where the Department feels they should within the overall budget.
- A request to appropriate the Court of Common Pleas' TASC Medicaid Fund. The Treatment Alternatives to Street Crime program is supported by a combination of Medicaid reimbursements and the HHS Levy Fund.
- Request to appropriate the 0.25% Fund to effectuate the transfers planned in the budget. The revenue was reflected in the General Operating Fund budget, but the cash transfers were not appropriated on the expenditure side in the original budget.
- To transfer the 1st Quarter payment to the Alcohol, Drug Addiction, and Mental Health Services Board. The County's \$39.4 million contribution to the Board is disbursed quarterly.

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. Thank you!

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	\$325,000.00	Grant – No General/HHS Levy Fund Impact
Common Pleas Court	\$390,840.00	Special Revenue – No General/HHS Levy Fund Impact
Debt Service	\$6,926,000.00	Special Revenue – No General/HHS Levy Fund Impact
Development	\$250,000.00	Special Revenue – No General Fund Impact
Developmental Disabilities	(\$8,000.00)	Special Revenue – No General/HHS Levy Fund Impact
HHS/Children & Family Services	\$3,906,572.00	Special Revenue – HHS Levy Fund Impact
HHS/Homeless Services	(\$96,475.00)	Special Revenue – HHS Levy Fund Impact
HHS/Early Childhood	\$25,000.00	Grant – HHS Levy Fund Impact
Information Technology	\$867,326.58	Special Revenue – General Fund Impact
Information Technology	(\$26,675.72)	Special Revenue – No General/HHS Levy Fund Impact
Juvenile Court	\$225,550.00	Special Revenue – No General/HHS Levy Fund Impact
Non-Departmental	\$5,000,000.00	General Fund
Sheriff's Office	\$5,000.00	Special Revenue – No General/HHS Levy Fund Impact
Subsidies	(\$283,705.00)	General Fund
Sustainability	\$14,000.00	Special Revenue – No General/HHS Levy Fund Impact
Prosecutor's Office	\$1,000.00	General Fund
Public Safety	\$717,036.71	Grant – No General/HHS Levy Fund Impact
Public Works/Capital Projects	\$3,531.12	General Fund
Public Works/Road & Bridge	(\$80,115.38)	
Veteran's Services Fund	(\$189,184.00)	Special Revenue – General Fund Impact
TOTAL	\$17,972,701.31	

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
Fiscal Office	\$153,502.00	General Fund
HHS/Job & Family Services	\$30,290.00	Special Revenue – HHS Levy Fund Impact
Information Technology	\$963,402.50	General Fund
Public Works/Capital Projects	\$100,256.73	Special Revenue – General Fund Impact
TOTAL	\$1,247,451.23	

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

Department	Amount Transferred	Funding Source
Public Works/Road & Bridge	\$82,176.97	Special Revenue – No General/HHS Levy Fund Impact
Subsidies	\$9,840,914.75	HHS Levy Fund
Subsidies	\$194,604.00	General Fund
TOTAL	\$10,117,695.72	

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0022

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s appointment of Sam Thomas III to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2018 - 12/31/2020, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 173.011 provides for the designation of a private nonprofit entity as an “area agency on aging” to administer programs granted under the Older Americans Act of 1965; and

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

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

WHEREAS, County Executive Budish has nominated Sam Thomas III to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2018 – 12/31/2020; 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 Sam Thomas III to serve on the Western Reserve Area Agency on Aging Board of Trustees for the term 1/1/2018 - 12/31/2020.



January 5, 2018

Dan Brady, President
Cuyahoga County Council
2079 E. Ninth Street, 8th Floor
Cleveland, OH 44115

RE: Western Reserve Area Agency on Aging (WRAAA)

Dear President Brady,

Pursuant to Article IV, Section 2 of the Code of Regulations of the Western Reserve Area Agency on Aging, I submit the following nomination for appointment:

- Sam Thomas III

The Western Reserve Area Agency on Aging is the state-designated funding, planning and coordinating authority for home- and community-based services and supports for older adults and individuals with disabilities. The organization serves *planning and service area* (PSA) 10A, which includes the counties of Cuyahoga, Geauga, Lake, Lorain and Medina counties.

The Board consists of 23 members – four appointed by the Cuyahoga County Executive; one each appointed by the counties of Geauga, Lake, Lorain and Medina; two ex-officio members; and thirteen at-large members appointed by the trustees. Article IV, Section 4 of the WRAAA Regulations – “Selection” – requires that board candidates be nominated by a county’s Advisory Council. In Cuyahoga County, the Division of Senior and Adult Services Advisory Board serves as the local Advisory Council. Mr. Thomas was nominated and submitted for consideration for appointment through this process.

The length of term for WRAAA trustees is three years and the position is uncompensated. This would be Mr. Thomas’ first term, effective January 1, 2018, expiring December 31, 2020.

Article IV, Section (2)(b) of the Agency’s Code of Regulations states the following qualifications for trustees appointed by the County Executive:

- Prior to being appointed, all trustees shall have qualifications which will help the Agency advance consumers’ independence and welfare, and have demonstrated an interest in consumers of the Agency, particularly the socially and economically disadvantaged; and
- Trustees must reside within PSA 10A; and

- Trustees cannot have a financial interest in any organization that receives funds from the WRAAA or is under contract with WRAAA

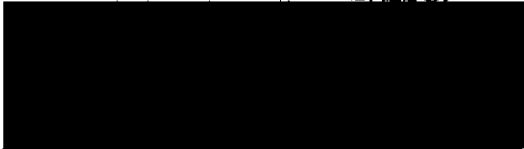
Attached is Mr. Thomas' bio. He has represented clients in Probate Court for many years and has devoted much of his time serving the elderly.

I ask that this appointment be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Armond Budish', written over a light blue horizontal line.

Armond Budish
Cuyahoga County Executive



PROFESSIONAL EXPERIENCE

Attorney and Counsellor at Law **1997-**

Areas of practice include: Consumer Debt Relief and Protection such as filing bankruptcy, and foreclosure protection, Criminal, Domestic Relations, Personal Injury, Traffic, Probate and Wills.

SIRVA, Mayfield Heights, Ohio **1997-2002**

International provider of outsourced relocation services, formerly known as Cooperative Resource Services, Ltd.

Director: Compliance, Diversity and Training Programs/ Human Resources

Established and implemented systems supporting company diversity initiatives that included supplier diversity EEOC auditing and reporting and additional monitoring functions to ensure legal compliance.

- Established auditing system to enhance EEOC reporting profile to analyze workforce according to federal categories.
- Increased employee diversity from 4% to 14% from 1997 to 2002.
- Trained managers how to develop direct reports and improve teamwork through: performance evaluation programs, progressive disciplinary counseling, and action plans for underachievers.
- Developed and implemented a supplier diversity program to measure procurement rates for minority/women certified enterprises.
- Classified employees exempt or non-exempt and trained managers to adhere to FSLA requirements.
- Identified 50 certified minority/women real estate brokers, agents and appraisers.

Bryant & Stratton College, Willoughby Hill, Ohio **Spring, 2001**

Adjunct Instructor for Business Law Class

City of Memphis, TN., Mayor's Office **1996-1997**

Project Manager

The city of Memphis had one of the nation's highest teen homicide and low student achievement rates in the United States. The mayor hired me to plan a three-day meeting to convene national "stakeholders" to engage in a process of sharing best practices across the country.

- Planned, promoted, coordinated and implemented a nationwide conference entitled Repairing The Breach.
- Coordinated travel and hotel arrangements for than 50 mayors, school superintendents, police chiefs/officials and business and community representatives who attended the conference.
- Managed a \$50,000 grant from the W.K. Kellogg Foundation.
- Written and audio recording of the conversations where best practices were exchanged about police community relations, student academic achievement and summer youth employment were discussed.

City of Cleveland, Ohio, Community Relations Board

1985-1996

Executive Director (1989-1996)

The Community Relations Board is responsible for the promotion of amicable relations between Cleveland's approximately 60 cultural groups, racial and police groups.

- Racial incidents decreased from 90 in 1989 to 23 in 1996 as a result of community organizing and partnerships with "key communicators".
- Zero racial incidents in city in the wake of both Rodney King's and O.J. Simpson's trials.
- Despite 22% budget reduction over six (6) years and a staff reduction from 24 staffers to 16 staffers over a six year period the racial incidents decreased as a result of increased staff initiatives such as organizing "Peacekeepers" who were instrumental in keeping the peace at Cleveland Indians' baseball games where Chief Wahoo protests occurred.
- Developed operational and chaired city's first Fair Housing Review Board.
- Elected president of the National Association of Human Rights Workers in 1992.
- Chaired conference committee for the National Association of Human Rights Workers when Cleveland hosted the national group in 1992.
- Department voted most improved of all city government departments in 1994.

Assistant Director

1988-1989

Specific assignments included responsibility for day-to-day staff operations and programming events to achieve the city's mission. Represented the executive director and mayor as requested.

- Instituted a yearly paper-pencil employee performance evaluation system.

Assistant Director (1988 to 1989) – Supported Executive Director in assuming activities for four major programs fair Housing, Police/Community Relations, Complaint Investigations, Human Relations. Responsible for personnel administration, budget management, grants development and program evaluation.

Assistant Administrator (1987 to 1988) – Continuation of Police-Community work with new responsibilities in community education and assistance, fair housing and racial/religious “hot line”. Provided day-to-day supervision to eight police district committee coordinators, and twenty community field representatives. Administrative support for Fair Housing Review Board and subcommittees of the Board.

Supervisor – police and Community Liaison 1985-1987 – Expanded Board role in relations with police district committed coordinators and community representatives and extended contact with police district commanders.

Human Resources training initiated and continued:

Conducted sensitivity and human relations training for police officers and police cadets.

THE PHILLIS WHEATLEY ASSOCIATION, Camp Mueller, Cleveland, Ohio 1983-1984
Camp Director – Upgraded program and facilities for Accreditation with the American Camping Association.

PREVIOUS ACADEMIC PROFESSIONAL EXPERIENCE

OHIO INSTITUTE OF TECHNOLOGY, Columbus, Ohio 1980-1982
Associate Dean of Students– Responsible for all aspects of students’ on-campus out-of-class development, and activities successfully worked with school administration and developed student leadership potential.

OHIO STATE UNIVERSITY, Columbus, Ohio 1977-1980

Residence Hall Director – Managed a co-educational residence hall for 370 students and supervised a staff of 19. Responsible for establishing peer mediation of dispute procedures. Advisor for the Career Development/Placement Center.

OHIO WESLEYAN UNIVERSITY, Delaware, Ohio 1975-1977

Assistant to the Dean of Student Life – Established an office-serving students seeking employment.

Led a judicial committee in establishing a disciplinary program and supported students with counseling.

Instituted court diversion program keeping student lawbreakers out of the criminal justice system.

CURRENT VOLUNTEER EXPERIENCE

CLEVELAND STATE UNIVERSITY ALUMNI BOARD-PRESIDENT (FORMERLY)

Project Love- Saving Our Children Foundation (Non-Profit Organization) 1996 – CURRENT

Provide advisory and facilitator services for this high school values clarification through “power of Kindness” seminar, which teaches alternative measures and decision-making processes alternative to violence.

Selected as Workshop Presenter for the Democratic National Convention, Chicago, Illinois.
1996

Cleveland State University Varsity “C” Athletic Alumni Past President

PROFESSIONAL AFFILIATIONS

State of Ohio Commission on African-American Males, (Past Commissioner and loaned executive director (1989-2002)

National Association for the Advancement of Colored People (NAACP)

National Association of Human Rights Worker (past president)

HONORS AND AWARDS

City of Cleveland Community Relations Board, Most Improved Department, 1993

National Association of Human Rights Worker, Distinguished Presidents Award, 1992

East Ohio Gas Company, Person of the Week, December 1991

Cleveland Plain Dealer, Recognition for Work Performed to Improve Race Relations 1991

Mayor George V. Voinovich, Key to the City of Cleveland, Meritorious Service 1989

Cleveland City Council, Resolution for Outstanding Achievement 1989

EDUCATION

CLEVELAND-MARSHALL COLLEGE OF LAW, Cleveland, Ohio

Juris Doctor, December 1996

Admitted to the Ohio Bar May 21, 1997

INDIANA UNIVERSITY, Bloomington, Indiana

Master of Science, 1975

Higher Education Administration/Counseling Guidance – Combined

CLEVELAND STATE UNIVERSITY, Cleveland, Ohio

Bachelor of Arts, 1973

Business Administration

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0023

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s reappointment of A. Steven Dever to serve, in his official capacity as representative of Cuyahoga County, on the Lake Erie Energy Development Corporation Board of Directors for an unexpired term ending 4/30/2019; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Lake Erie Energy Development Corporation (“Corporation”) was formed for charitable, educational and scientific purposes including supporting economic development by promoting alternative sources of energy in Northeast Ohio and to facilitate the production of energy from wind energy conversion technologies; and

WHEREAS, pursuant to the Code of Regulations of the Corporation, the Board Members shall be appointees of Ashtabula County, Cuyahoga County, Lorain County, Lake County, the City of Cleveland, NorTech and the Cleveland Foundation and the appointees of Ashtabula County, Cuyahoga County, Lorain County, Lake County, and the City of Cleveland shall be appointed through resolution of such Board Member’s respective government board or officials; and

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

WHEREAS, County Executive Budish has nominated A. Steven Dever to be reappointed to serve, in his official capacity as representative of Cuyahoga County, on the Lake Erie Energy Development Corporation Board of Directors for an unexpired term ending 4/30/2019; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive's reappointment of A. Steven Dever to serve, in his official capacity as representative of Cuyahoga County, on the Lake Erie Energy Development Corporation Board of Directors for an unexpired term ending 4/30/2019.

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

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

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__



January 31, 2018

Dan Brady, President
Cuyahoga County Council
2079 E. Ninth Street, 8th Floor
Cleveland, OH 44115

RE: Lake Erie Energy Development Corporation Board of Directors (LEEDCo)

Dear President Brady,

Pursuant to the 2006 County legislation enacting the Great Lakes Energy Development Task Force and the 2009 multi-party agreement enacting LEEDCo, I submit the following nomination for service on the LEEDCo Board of Directors:

- **A. Steven Dever, of Rocky River, Cuyahoga County (Reappointment)**

There are no specific requirements for this position. There are no other candidates on file for this position. Directors serve two year terms until they resign or are replaced. This appointment will be for an unexpired term ending April 30, 2019. The reappointed member has a sufficient attendance record. There are no known conflicts of interest for which an advisory opinion has been requested. Board members are not compensated.

Mr. Dever is an attorney in private practice. His biography is attached.

Sincerely,

Armond Budish
Cuyahoga County Executive

A. Steven Dever Co., L.P.A.

Attorney Steve Dever has been recognized for dedication, leadership and excellence in litigation.



Following nearly three decades of experience, Steve Dever is an experienced lawyer in civil litigation, business law, plaintiff work, personal injury, trusts and estates, and employment law. Throughout the course of his career, Mr. Dever has litigated more than 200 jury trials and has served as the chief trial attorney with the Cuyahoga County Prosecutor's Office for more than 10 years.

He has proven success in the courtroom and is recognized as an AV Preeminent Attorney through the Martindale-Hubbell Peer Review and was also named a Top Rated Lawyer in 2014. The Drug Enforcement Administration, the Federal Bureau of Investigation, as well as the Inspector General of the Department of Housing and Urban Development have recognized Mr. Dever for his efforts in the pursuit of justice.

He has provided lectures on the quality of justice and evidence for the Ohio Judicial Conference, the Cleveland Metropolitan Bar Association, the Ohio State Bar Association, the Lake County Bar Association, and Cleveland-Marshall College of Law.

Mr. Dever received a Juris Doctorate degree from Cleveland-Marshall College of Law in 1984. He was recently inducted into Worldwide Registry and also maintains affiliation with the National Association of Dealer Counsel and the Cleveland Metropolitan Bar Association.

Mr. Dever is licensed to practice in Ohio and Florida, and is a member of the Eighth District Judicial Conference. He serves on the board of directors for the Lake Erie Energy Development Corporation, or LEEDCo, which is a nonprofit economic development corporation that aims to construct the first offshore wind energy project in North America. Mr. Dever is also a director for Green Energy Ohio.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0024

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s reappointment of Lisa M. Hunt to serve on the Cuyahoga County Board of Developmental Disabilities for an unexpired term ending 1/31/2022, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ohio Revised Code Section 5126.02, the County of Cuyahoga shall its own county board of developmental disabilities; and

WHEREAS, pursuant to the provisions in Ohio Revised Code Section 5126.021, the Cuyahoga County Board of Developmental Disabilities consists of seven members. Five members are appointed by the County and two members are appointed by the Probate Court; and

WHEREAS, members appointed to fill a vacancy of the Cuyahoga County Board of Developmental Disabilities shall serve a term of four years; and

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

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

WHEREAS, County Executive has nominated Lisa M. Hunt to be reappointed to serve on the Cuyahoga County Board of Developmental Disabilities for an unexpired term ending 1/31/2022; and

WHEREAS, this Council by a vote of at least eight (8) members determines that it is necessary that this Resolution become immediately effective in order that Charter requirements can be complied with and critical services provided by Cuyahoga County can continue, and to provide for the usual, daily operation of a County Board.

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



January 30, 2018

Dan Brady, President
Cuyahoga County Council
2079 E. Ninth Street, 8th Floor
Cleveland, OH 44115

RE: Cuyahoga County Board of Developmental Disabilities

Dear President Brady,

Pursuant to Section 5126.021 of the Ohio Revised Code, I submit the following nominee for reappointment to the Cuyahoga County Board of Developmental Disabilities:

- Lisa M. Hunt

Attached is Ms. Hunt's resume for your review. Should Ms. Hunt be confirmed by Council, she would begin a unexpired second four-year term of service.

The mission of the Board of Development Disabilities is *to support and empower people with developmental disabilities to live, learn, work and play in the community*. Functionally, the Board oversees the agency's overall operations.

The Board is comprised of seven voting members. Five members are appointed by the County Executive, and two members are appointed by the senior Probate Court Judge. Ohio Revised Code requires that Board members be residents of Cuyahoga County and U.S. Citizens. They must also be interested and knowledgeable in the field of developmental disabilities, and, to the maximum extent possible, have professional training and experience in business management, finance, law, health care practice, personnel administration, or government service. Ms. Hunt is a resident of Cleveland Heights and is currently employed as a Family Engagement Specialist in Cleveland Heights – University Heights City Schools. Also, in 2012, she founded a parent-led advocacy group for special needs families that has since become embedded as a full program at Reaching Heights, a non-profit organization where she is currently the Assistant Director. During her term on the Board, she has demonstrated consistent attendance. Ms. Hunt has proven to be an asset to the Board.

I ask that this appointment be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact me.

Sincerely,


Armond Budish
Cuyahoga County Executive

Lisa M. Hunt



Experience

2017- Current **Cleveland Hts. – University Hts. City Schools** Cleveland Hts, OH
Family Engagement Specialist

2009- Current **Reaching Heights** Cleveland Heights, OH
Assistant Director

Oversee all efforts of in-school tutoring program's marketing, communication, volunteer recruiting, training, recognition and data in six district elementary schools; laid ground work for implementation of kindergarten literacy intervention; developed cohesive training systems, manage internal/external volunteer staff; developed program measurement and evaluation tools, event coordination, liaised community collaborations with local universities, assist in fundraising and development, managed grants-to-teachers program, managing Special Education Advocacy Group, maintain social media outlets.

2009-2012 **Cleveland State University** Cleveland, OH
Administrative Assistant- Dance Department

Coordinate, facilitate and create campus activities; aid in audition process and selection; support communication efforts for potential students.

Summer 2008-2009 **Rainey Institute** Cleveland, OH
Cleveland Foundation Summer Internship

Created, collected, quantified 2008 Summer Camp Outcome Measurement census data for 145+ attendees, staff and parents. Measured and reported program impact. Obtained 44+ hours of intensive Professional Development with local area non-profits.

Summer Camp 2012 **Dance Educator**

2006-2008 **CSU Maxine Goodman Levin Center for Health Equity** Cleveland, OH
Community Dance Coordinator

Facilitated movement component for Community-based Participatory Research Module for 90+ at-risk youth ages 8-12, educated on healthy/ active lifestyle adaptive behaviors with team of social workers, physical educators, dieticians, health specialists and community leaders. Maintained and reported qualitative findings and methods for sustainability.

2005-2007 **DANCE Cleveland** Cleveland, OH
Special Projects Administrative Assistant

Created, managed and maintained acknowledgement correspondence for donations, assisted in marketing, administration and audience development data. Assisted in general office administration.

2001-2003 **The Lipson Group** Cleveland, OH
Executive Assistant

Education

Cleveland State University Cleveland, OH

2012 - Master's of Nonprofit Administration and Leadership

2009 - BA Nonprofit Administration and Leadership

Minor in Dance. Cum Laude.

Service, Awards & Skills

Heights Youth Theatre-Board member; Exceptional Children's Advocacy Group-Founder, Chairman; Cleveland Foundation Scholarship Selection Committee; Alpha Lambda Delta National Honor Society; Frank C. Adams Cultural Arts Award Recipient; Microsoft Office, WordPress, Social Network proficient; Public speaking; Volunteer Management; Cleveland Heights-University Heights PTA Council Secretary.

References are available upon request.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0025

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s reappointment of Yvette Ittu to serve on the Cuyahoga County Audit Committee for an unexpired term ending 12/31/2021, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Audit Committee was created pursuant to the provisions of Article XI, Section 11.01 of the Cuyahoga County Charter, in order to “provide internal auditing to assist the County Executive, Fiscal Officer, the Council, and other county officers and departments, institutions, board, commissions, authorities, organizations and agencies of County government funded in whole or in part by County funds in providing taxpayers of the County with efficient and effective services;” and

WHEREAS, pursuant to the Cuyahoga County Charter, as amended by the electors of Cuyahoga County on November 3, 2015, the Cuyahoga County Audit Committee is comprised of the President of Council or a member of Council appointed by the President of Council and four County residents with experience in the field of auditing, accounting, government operations, or financial reporting who are appointed by the County Executive and confirmed by Council; and

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

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

WHEREAS, the County Executive has nominated Yvette Ittu for reappointment to serve on the Cuyahoga County Audit Committee for an unexpired term ending 12/31/2021; 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. The Council of Cuyahoga County hereby confirms the County Executive's reappointment of Yvette Ittu to serve on the Cuyahoga County Audit Committee for an unexpired term ending 12/31/2021.

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

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

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

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

Journal _____
_____, 20__



January 31, 2018

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

RE: Cuyahoga County Audit Committee Reappointment

Dear President Brady,

Pursuant to Article XI, Section 11.01 of the Cuyahoga County Charter, I submit the following nominee for reappointment to the Cuyahoga County Audit Committee:

- Yvette Ittu

The Charter broadly stipulates that the Audit Committee shall provide internal auditing in order to assist the County in providing taxpayers of the County with efficient and effective services. It also directs the functioning of the County's Department of Internal Auditing.

The Committee is comprised of five voting members. Four members are appointed by the County Executive, with the President of County Council or a member of Council appointed by the President serving as the fifth voting member. The County Executive and the County Fiscal Officer serve as ex-officio, non-voting members. The four members appointed by the County Executive shall be residents of the County with experience in the field of auditing, accounting, government operations, or financial reporting. As shown in the attached resume, Ms. Ittu is a CPA and resident of Cuyahoga County with experience in the fields of financial administration and auditing.

Ms. Ittu's current appointment was confirmed by County Council in September 2016 to fill a vacancy for a term that expired December 31, 2017. Upon confirmation, her term of office will run for four years, expiring December 31, 2021.

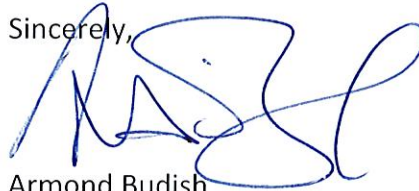
No other individuals have submitted applications to the County Executive's Office expressing interest in service on the Audit Committee.

Ms. Ittu is a resident of the City of Rocky River.

We are extremely grateful for her past service, and look forward to retaining her expertise in guiding the agency in fulfillment of its mission to help the County accomplish objectives, identify improvements, and reduce risk in operations.

Thank you for your consideration of this appointment. If you need further information, please contact me.

Sincerely,



Armond Budish
Cuyahoga County Executive

cc: Cory Swaisgood, Director, Department of Internal Auditing



Yvette M. Ittu is the executive vice president of finance and operations of the Greater Cleveland Partnership. In addition, she is president of **Cleveland Development Advisors Inc. (CDA)**, an affiliate of GCP that is responsible for the management of real estate investment funds initiated, and in part capitalized, by certain GCP members.

CDA-managed capital serves as a source of private-sector funding for catalytic real estate development projects that have significant impact on Northeast Ohio's growth and development. Under Yvette's leadership, CDA has successfully raised three private equity funds and secured multiple tax credit equity allocations.

These funds support neighborhood development, job creation and retention, as well as business attraction and expansion, through strategic investments in projects throughout the City of Cleveland and targeted areas of Cuyahoga County.

Yvette is also chairperson of the Cleveland International Fund (CiF), a private equity firm that operates as an EB-5 regional center authorized by U.S. Citizenship and Immigration Services. One of CiF's goals is to be a driving force for economic development throughout Northeast Ohio.

Prior to joining CDA, Yvette was an associate with the law firm of Calfee, Halter and Griswold LLP practicing in the areas of public law and public finance. She served as bond counsel on multiple financings for the Ohio Housing Finance Agency, the City of Cleveland, and several other Ohio local governments.

In addition, Yvette served as finance director for the City of Lakewood and held several financial management positions for the City of Cleveland including the chief financial officer post for Cleveland Public Power, the city-owned power company. She also was asked to serve on the transition committees for the administration of both Mayor Frank Jackson and Mayor Jane Campbell.

Yvette obtained her Juris Doctorate degree from Cleveland-Marshall College of Law. In addition, she is a certified public accountant and has a bachelor's degree in business administration from Cleveland State University.

She currently serves on several community and nonprofit boards including Benjamin Rose Institute, Village Capital Corporation, as well as audit and financial advisory committees for several local governments including the City of Cleveland, City of Rocky River and the Cleveland Metropolitan School District.

She is a native of Cleveland and lives in Rocky River with her husband and two children.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0026

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s appointment or reappointment of various individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council for various terms, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the goal of the Cuyahoga Regional HIV Health Services Planning Council is to identify HIV positive individuals and to link them into appropriate care and living situations to improve health outcomes comprised of Transitional Grant Area of Ashtabula, Cuyahoga, Geauga, Lake, Lorain and Medina Counties; and

WHEREAS, the Membership and Outreach committee of the Cuyahoga Regional HIV Health Services Planning Council recommend the nominees based on satisfying the Membership guidelines as outlined in the 2009 Ryan White Treatment Extension Act, Section 2602, matching Membership positions that were needed on the Planning Council, and those who acknowledged the time requirements for membership; and

WHEREAS, the Regional HIV Health Services Planning Council is a 40-member body serving staggered terms; and

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

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

WHEREAS, the County Executive Armond Budish has nominated the following individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council:

- a) Reappointments for the term 3/15/2018 – 3/31/2021:
 - i) Naimah O’Neal
 - ii) Dr. Barbara Gripshover
 - iii) Max Rodas
 - iv) Marlene Robinson-Statler

b) New appointments for the term 3/15/2018 – 3/31/2020:

- i) Tim Leonard
- ii) Christy L. Nicholls
- iii) Gregory “Ryan” Duhamell

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. The Council of Cuyahoga County hereby confirms the County Executive’s appointment or reappointment of the following individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council:

a) Reappointments for the term 3/15/2018 – 3/31/2021:

- i) Naimah O’Neal
- ii) Dr. Barbara Gripshover
- iii) Max Rodas
- iv) Marlene Robinson-Statler

b) New appointments for the term 3/15/2018 – 3/31/2020:

- i) Tim Leonard
- ii) Christy L. Nicholls
- iii) Gregory “Ryan” Duhamell.

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

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

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__



January 31, 2018

Dan Brady, President
Cuyahoga County Council
2079 E. Ninth Street, 8th Floor
Cleveland, OH 44115

RE: Cuyahoga Regional HIV Health Services Planning Council

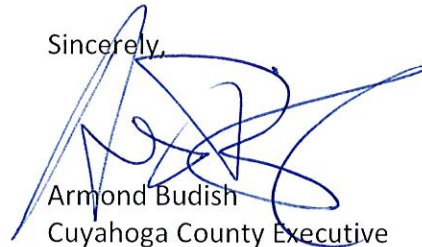
Dear President Brady,

Pursuant to provisions contained in the Ryan White HIV/AIDS Treatment Extension Act of 2009, I am nominating the individuals listed in the attached documents to serve on the Cuyahoga Regional HIV Health Services Planning Council. The Council has specific membership requirements and a brief summary of the applicable mandates is attached for review as well.

The HIV Services Planning Council is formed pursuant to Federal Law and serves the Transitional Grant Area comprised of Ashtabula, Cuyahoga, Geauga, Lake, Lorain and Medina Counties. The Council strives to identify HIV positive individuals and link them to appropriate care and living situations to improve quality of life and relevant health outcomes.

Should you or any of your colleagues have any questions, please feel free to contact me.

Sincerely,



Armond Budish
Cuyahoga County Executive

cc: Melissa Rodrigo

Planning Council Reflectiveness

(Use HIV/AIDS Prevalence data as reported in your FY 2017 Application)

Race/Ethnicity	Living with HIV/AIDS in EMA/TGA		Total Members of the Planning Council		Non- Aligned Consumers on Planning Council	
	Number	Percentage (include % with #)	Number	Percentage (include % with #)	Number	Percentage (include % with #)
White, not Hispanic	1,785	32.88%	11	45.83%	1	12.50%
Black, not Hispanic	2,855	52.59%	11	45.83%	6	75.00%
Hispanic	555	10.22%	1	4.17%	0	0.00%
Asian/Pacific Islander	20	0.37%	0	0.00%	0	0.00%
American Indian/Alaska Native	4	0.07%	0	0.00%	0	0.00%
Multi-Race	179	3.30%	1	4.17%	1	12.50%
Other/Not Specified	31	0.57%	0	0.00%	0	0.00%
Total	5429	100%	24	100%	8	100%

Gender	Number	Percentage (include % with #)	Number	Percentage (include % with #)	Number	Percentage (include % with #)
Male	4243	78.15%	13	54.17%	6	75.00%
Female	1155	21.27%	11	45.83%	2	25.00%
Transgender	0	0.00%	0	0.00%	0	0.00%
Unknown	31	0.57%	0	0.00%	0	0.00%
Total	5429	100%	24	100%	8	100%

Age	Number	Percentage (include % with #)	Number	Percentage (include % with #)	Number	Percentage (include % with #)
13-19 years	49	0.90%	0	0.00%	0	0.00%
20-29 years	689	12.71%	2	8.33%	1	12.50%
30-39 years	878	16.19%	1	4.17%	0	0.00%
40-49 years	1,254	23.12%	8	33.33%	1	12.50%
50-64 years	2,174	40.09%	13	54.17%	6	75.00%
65+ years	379	6.99%	0	0.00%	0	0.00%
Total	5423	100%	24	100%	8	100%



Cuyahoga Regional HIV Health Services Planning Council
Ashtabula, Cuyahoga, Geauga, Lake, Lorain and Medina Counties

The Planning Council is pleased to submit the following very capable, committed and qualified candidates for re-appointment to another 3-year term on the Cuyahoga Regional HIV Health Services Ryan White Planning Council for the Cleveland Transitional Grant Area (TGA):

Naimah O'Neal

Naimah is a Social Worker and experienced professional with a lengthy history serving and advocating for people living with HIV/AIDS. She has been an active member of the Cleveland TGA Part A Ryan White Planning Council since 2006. She is currently a Co-chair of the Community Liaison Committee (CLC), where she leads by example, volunteering to serve on other committees, coordinating initiatives to recruit and engage new members, especially PLWHA and bringing new ideas to raise awareness about HIV/AIDS. She is an effective spokesperson and advocate with an unwavering commitment to raise awareness about HIV/AIDS. She sets an example through not only co-chairing CLC, but also her actions as an active participant on the Membership Marketing and Retention Committee. She also volunteers for other ad hoc meetings and continuously encourages others to participate. She is a problem-solver and enthusiastically works to improve service delivery for individuals living with HIV/AIDS in the Cleveland TGA.

Dr. Barbara Gripshover

Dr. Gripshover is an infectious disease physician who has been caring for HIV-infected individuals since the early 90's. She is the Medical Director of the John T. Carey Special Immunology Unit at University Hospital of Cleveland, where medical care is provided to over 1200 people living with HIV. Her mission is to provide expert, comprehensive, compassionate care to all HIV infected individuals regardless of ability to pay, while furthering the fight against HIV disease through education and research. She has a long history of serving the underserved HIV community, with the help of Ryan White Part A, Part C and Part D funds. She is a member of the Part B Advisory Committee and a co-investigator with the Cleveland AIDS Clinical Trials Unit. She has been an active member of the Cleveland TGA Part A Planning Council since, 1998, and a member of the Quality Improvement Subcommittee.

She feels it is important to be involved with the Planning Council to advocate for patients' needs, and if reappointed, she will continue to bring an important medical perspective to the Council.

Max Rodas

Pastor Max Rodas has been an active member of the Cleveland area Part A Ryan White Planning Council for over 16 years and has been involved in responding to health inequities in the urban communities of Greater Cleveland, Ohio since 1984. He is the founder and Executive Director of Proyecto Luz, an HIV/ AIDS, faith-based initiative and the Chief Executive Officer of Nueva Luz Urban Resource Center. His life's work has been an endearing commitment addressing the root causes of systemic poverty and health inequities in Northeastern Ohio.

He currently co-chair's the Planning Council's Strategy and Finance Subcommittee and has a steadfast commitment to continue his leadership and support for the goals and objectives of the Planning Council. Rev. Rodas feels that his longstanding history of advocacy for the poor, people living with HIV/AIDS and undocumented individuals demonstrates his commitment to the spirit and intent of the Ryan White legacy. If re-appointed he will remain vigilant in his efforts to address the needs of individuals with HIV/AIDS.

Marlene Robinson-Statler

Marlene has been an active participant on the Planning Council since her appointment in 2014. During her prior term, and as the Planning Council's Medicaid liaison, she provided timely updates on the progress of the State's Medicaid expansion. As a member of the Quality Improvement committee, she is dedicated to decreasing the number of new incidents of HIV/AIDS, focusing on the senior population and those who are at greatest risk.

If re-appointed, she would actively assist with new member recruitment and support peer mentoring. She would reach out to the aging community for representation of individuals in the largest cohort of population growth in the next ten years, those over seventy-five years old.

New candidates for consideration to serve on the Cuyahoga Regional HIV/AIDS Health Services Ryan White Planning Council for the Cleveland Transitional Grant Area. The new candidates, initial appointment shall be a 2-year term.

Tim Leonard

Tim is a nationally recognized leader within the HIV/AIDS programs community. He is the AIDS Drug Assistance Program Representative for the State of Ohio and has a unique blend of experience and skills including health care administration, supervision, and data expertise and government services. As the Ryan White Part B Program subject matter expert, Tim's appointment will provide the Planning Council with an important link for coordinating services with other Ryan White Part B Programs and contribute to greater strategic coordination between Part A and Part B funded HIV services. If appointed, Tim has expressed an interest in serving on the Planning Council's Quality Improvement committee, where he feels he can contribute his expertise to help ensure that HIV standards of care continue to address lifesaving improvements in health care outcomes.

Tim's appointment to the Planning Council would provide a wealth of experience to the Council related to the HIV programs and services administered by the State of Ohio as well as his seasoned knowledge of LGBT issues, having service on the Ohio State University LGBT Board.

Christy L. Nicholls

Christy is a seasoned professional with over twenty-four years of experience with Medicaid. She is currently the Social Program Administrator for the Cuyahoga Job and Family Services Agency. She has served as liaison to a variety of community partners that are important within the network of Ryan White service providers. She has intimate knowledge of social services important to individuals living with HIV/AIDS. She holds a Juris Doctorate Degree from Cleveland-Marshall College of Law, Cleveland State University, where she ranked in the top 5% of her graduating class and was Senior Editor of *"The Cleveland State Law Review."*

Christy has demonstrated her commitment to the Planning Council through her dedicated attendance, providing the monthly Medicaid update and if appointed, she would serve as the Planning Council's Medicaid representative bringing regular updates on changes as they occur in the State's Medicaid Program.

Gregory “Ryan” Duhamell

Ryan was introduced to the Ryan White Planning Council at a recent Community Forum in Ashtabula County. He views himself as a leader and believes that HIV education is the most important service need for HIV positive youth in his county. He is a young professional who considers HIV education an empowering tool that provides hope and optimism. He believes education can help young people living with HIV/AIDS understand they can live long and productive lives. If appointed, he would be an advocate of using education to help remove stigmas that often keep many young people out of care. He believes he can be one of the Planning Council's voices to reach the youth population. His appointment would represent an age and location categories that needs greater representation on the Planning Council and would be the sole representative for Ashtabula County, filling key reflectiveness categories on the Planning Council.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0027

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing a Purchase and Sale Agreement with DI Rentals, LLC in the amount of \$7,372.00 for the sale of certain County-owned property no longer needed for public use, located at 2035 West 18 th Street, Cleveland, Permanent Parcel No. 004-02-067; authorizing the County Executive to take all necessary actions and to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works is interested in and recommends selling property located at 2035 West 18th Street, Cleveland, Ohio to DI Rentals, LLC; 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 authorizing a Purchase and Sale Agreement with DI Rentals, LLC in the amount of \$7,372.00 for the sale of certain County-owned property no longer needed for public use, located at 2035 West 18th Street, Cleveland, Permanent Parcel No. 004-02-067.

SECTION 2. That the County Executive or his designee is authorized to take all actions and to execute, acknowledge, deliver, obtain title work and/or title insurance, and/or file for and record all documents and instruments related to what is contemplated herein. To the extent an exemption for anything herein is needed, it is hereby granted.

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

Department of Public Works, Sale of Land to DI Rentals, LLC.
WET SIGNATURES REQUIRED

A. Scope of Work Summary

1. Department of Public Works is requesting approval of the sale of a parcel of land (PPN 004-02-067) with DI Rentals, LLC. The land, located off of W. 18th Street, south of Lorain in Cleveland, Ohio, contains 0.059 acres and is part of residual County property initially acquired for the Lorain-Carnegie Bridge

Gregory Williams, MAI (FEASIBILITY RESEARCH GROUP) prepared a narrative appraisal report for the sale of land to determine the FMVE. After weighting the comparable sales, the appraiser reconciled the value as \$7,372.00. He then discounted the property 90%, stating that “the only potential users of the subject property being neighboring property owners, there is little economic value to the property.” With the 90% discount, the value came to \$750.00. The County disagreed with the discount because Cuyahoga County owns the neighboring properties. It owns the parcel in question, as well as, three additional parcels immediately north of that parcel. The “larger parcel” has access to the road. Therefore, no discount should be taken.

DI Rentals LLC agreed to a purchase price of \$7,372.00. All closing costs will be paid by DI Rental LLC at closing.

- a. The goal is to execute the Sale & Purchase Agreement between the County and DI Rentals LLC
- b. The land is located off of W. 17th Street south of Lorain Avenue in Cleveland, Ohio
- c. Council District 7

B. Procurement

N/A

C. Contractor Information

- 1. DI Rentals LLC
2030 West 19th Street
Cleveland, Ohio 44113
- 2. The vendor (owner(s), executive director, other [specify]) is Matt Berges.

D. Project Status

- 1. N/A

E. Funding

- 1. DI Rentals LLC agreed to a purchase price of \$7,372.00

The Agreement was reviewed and approved by Anka Davis in the Law Department (PWD 1064)

Sale of Property (PN00402067) to DI Rentals, LLC.



County Council of Cuyahoga County, Ohio

Resolution No. R2018-0028

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing the County Executive to accept dedication of land for Brock Court and West 19th Place, in connection with Permanent Parcel Nos. 004-02-107, 004-02-109 and an unnumbered parcel, located in Duck Island in the City of Cleveland, as public streets; 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 dedication of land for Brock Court and West 19th Place, in connection with Permanent Parcel Nos. 004-02-107, 004-02-109 and an unnumbered parcel, located in Duck Island in the City of Cleveland, as public streets; and

WHEREAS, a portion of County-owned Permanent Parcel Nos. 004-02-109, 004-02-107 and an unnumbered parcel will be part of the dedication with the primary goal of this project to widen West 19th Place by 2 feet and help create Brock Court, a 12-foot alley connecting West 19th Place and West 18th Street, in the City of Cleveland, located in 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 County Council hereby authorizes the County Executive to accept dedication of land for Brock Court and West 19th Place, in connection with Permanent Parcel Nos. 004-02-107, 004-02-109 and an unnumbered parcel, located in Duck Island in the City of Cleveland, as public streets.

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

Department of Public Works, 2018, Dedication of County-Owned Property for Brock Court and W. 19th Place in Cleveland, Ohio

A. Scope of Work Summary

1. Department of Public Works is requesting approval of the dedication of 1363 SF of County-owned property for part of Brock Court and W. 19th Place. The dedication will help widen W.19th Place by 2 feet and will help create Brock Court, a 12 foot alley connecting W. 19th Place and W. 18th Street.

The dedication of County-owned property is as follows:

PPN 004-02-107

PPN 004-02-109

PPN Unnumbered

Dedicated Area: 1,245 SF

Dedicated Area: 87 SF

Dedicated Area: 31 SF

This dedication was requested by the City of Cleveland due to development in the area.

- a. The primary goal is approval of the dedication plat of part of Brock Court and W. 19th Place in the City of Cleveland, Ohio.
- b. The property is located in Duck Island in the City of Cleveland, Ohio
- c. Council District 7

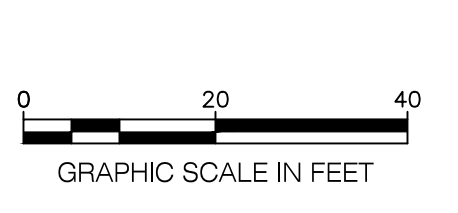
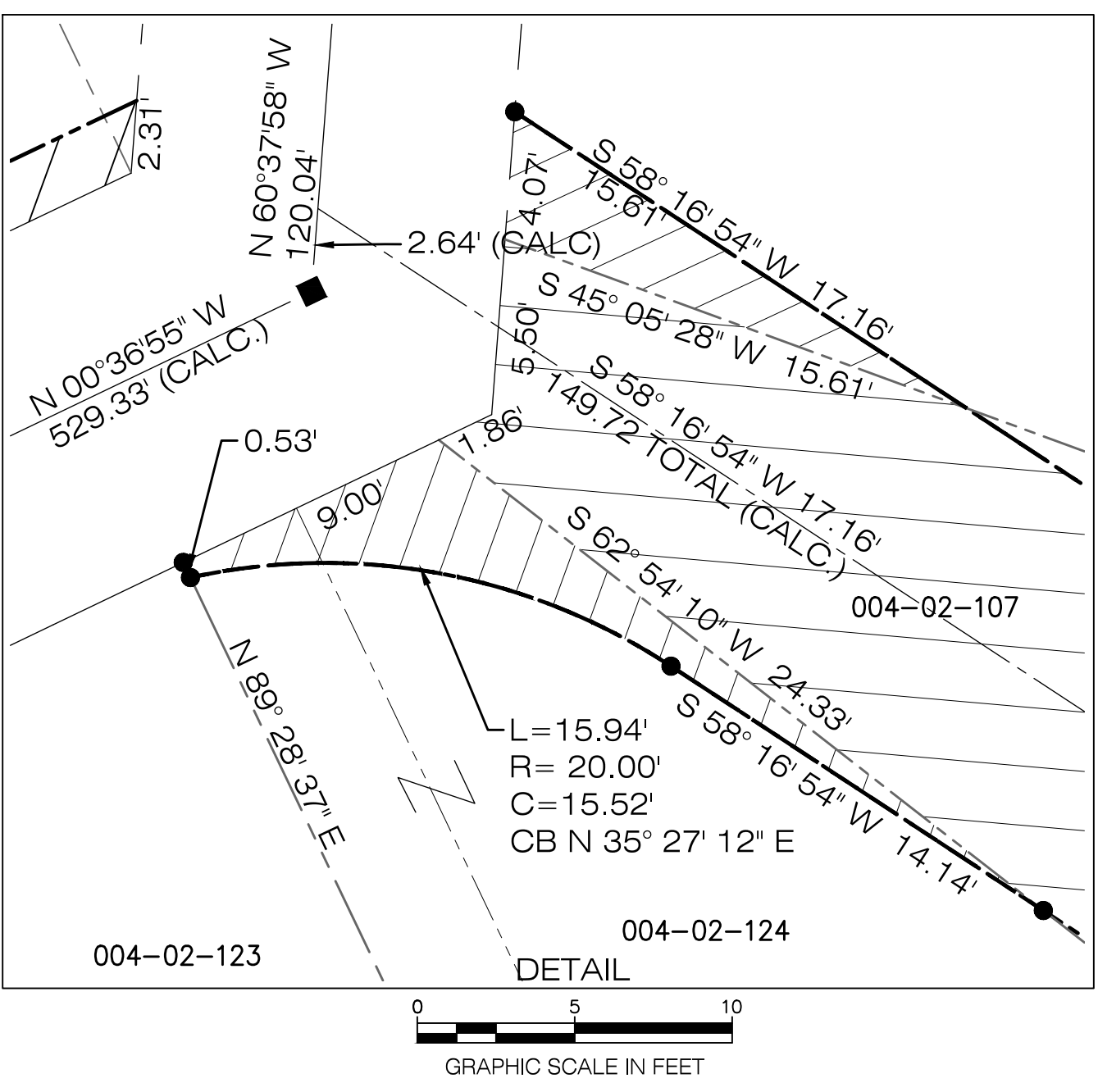
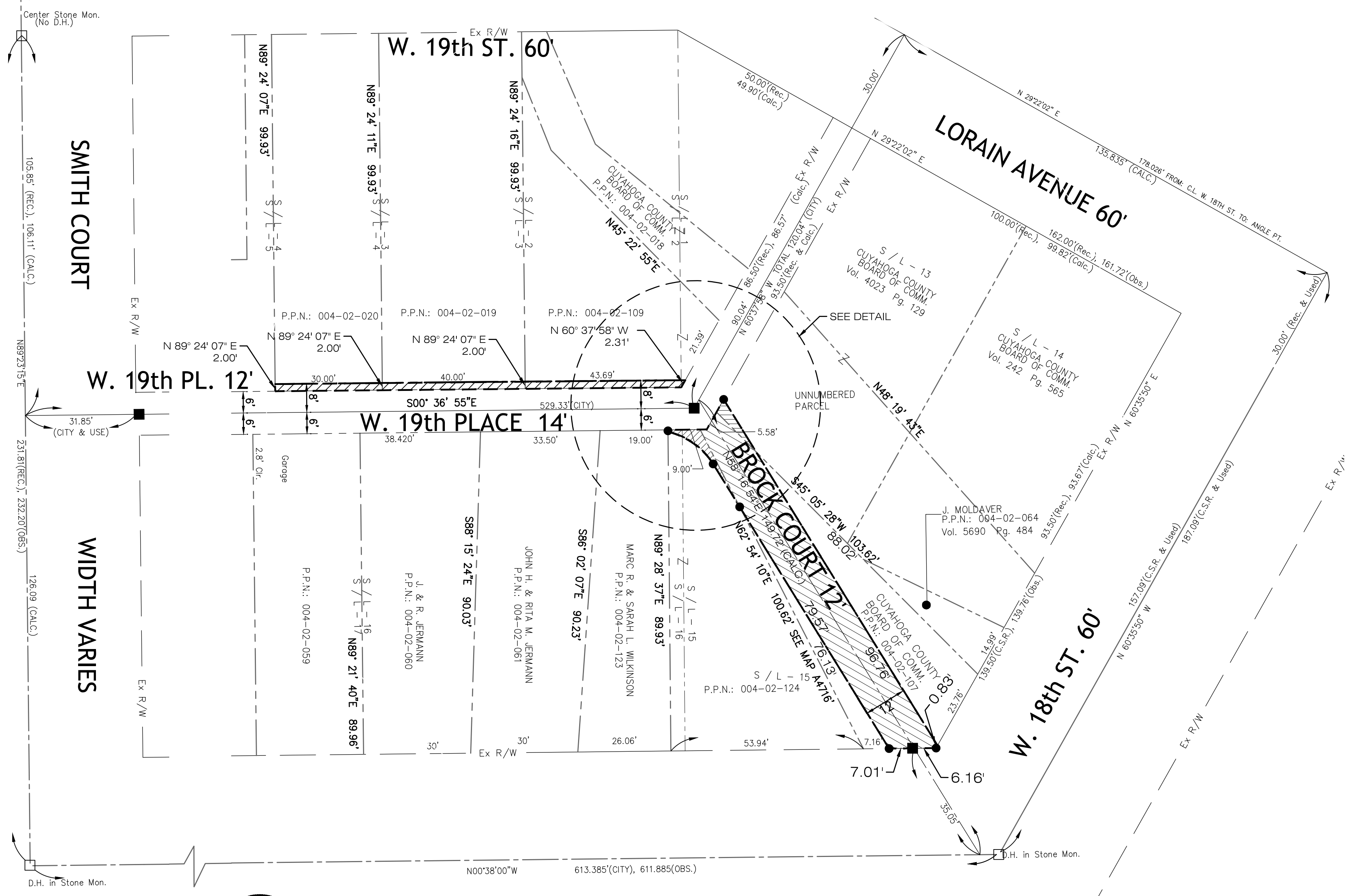
B. Procurement N/A

C. Contractor and Project Information N/A

D. Project Status and Planning N/A

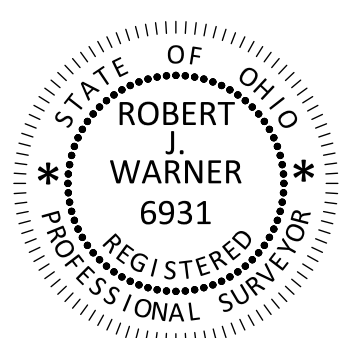
E. Funding N/A

W. 19th PLACE WIDENING
& BROCK COURT
DEDICATION PLAT
CITY OF CLEVELAND
CUYAHOGA COUNTY, OHIO



- LEGEND**
- MONUMENT FOUND
 - MONUMENT TO BE SET
 - CAPPED 5/8" REBAR SET

BASIS OF BEARINGS:
ASSUMED MERIDIAN



THIS PLAT WAS PREPARED FROM A FIELD SURVEY, ANALYSIS OF RECORDED PLATS, RECORDED DEEDS, AND CITY SURVEY RECORDS. BEARINGS SHOWN HEREON ARE TO AN ASSUMED MERIDIAN AND ARE INTENDED TO DENOTE ANGLES ONLY. DISTANCES ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. ALL OF WHICH I CERTIFY TO BE CORRECT TO THE BEST OF MY KNOWLEDGE AND THAT I HAVE SURVEYED THE SUBJECT PREMISES AND PREPARED THIS DRAWING IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE.

ROBERT J. WARNER, P.S. NO. 6931



DOCUMENTS OF RECORD

- P.P.N.: 004-02-019
DENARION D. & CATHERINE V. WHITE
Deed Dated: 07/14/2009
A.F.N.: 200907140294
Dedicated Area: 80 Sq. Ft.
- P.P.N.: 004-02-020
JAMES M. BONGORNO
Deed Dated: 10/28/2015
A.F.N.: 201510280381
Dedicated Area: 60 Sq. Ft.
- P.P.N.: 004-02-107
CUYAHOGA COUNTY BOARD OF COMMISSIONERS
Deed Dated: 02/25/1981,
Vol. 15430, Pg. 561
Dedicated Area: 1,245 Sq. Ft.
- P.P.N.: 004-02-109
CUYAHOGA COUNTY BOARD OF COMMISSIONERS
Deed Dated: 11/30/1981,
Vol. 15602, Pg. 475
Dedicated Area: 87 Sq. Ft.
- P.P.N.: 004-02-124
DAVID J. LASALVIA JR. TRUSTEE
Deed Dated: 03/25/2016
A.F.N.: 201603250588
Dedicated Area: 44 Sq. Ft.
- P.P.N.: UNNUMBERED
BOARD OF CUYAHOGA COUNTY COMMISSIONERS
Deed Dated: 4/21/1930
Vol. 4023 Pg. 129
Dedicated Area: 11 Sq. Ft.
- "LOT SPLIT & CONSOLIDATION PLAT for WEST 18 BRIDGE L.L.C."
Recorded: 02/08/2016
Vol. 383, Pg. 09
- "BRADFORD & CARTER LAND DEDICATION"
Recorded: 09/24/1907
Vol. 36, Pg. 26
- "DEDICATION MAP OF SMITH COURT OPENING"
Recorded: 07/29/1964
Vol. 190, Pg. 61

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0029

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing the County Executive to accept dedication of land for a part of Warrensville Center Road, in connection with Permanent Parcel No. 736-29-043, located in the City of Shaker Heights, as a public street; authorizing the County Executive to execute the final Plat in connection with said dedication; 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 dedication of land for a part of Warrensville Center Road, in connection with Permanent Parcel No. 736-29-043, located in the City of Shaker Heights, as a public street; and

WHEREAS, the dedication of 0.0320 acres of part of Warrensville Center Road in the City of Shaker Heights to add a 5-foot strip of land to the east side of a section of Warrensville Center Road for a turning lane, located in Council District 9; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes the County Executive to accept dedication of land for a part of Warrensville Center Road, in connection with Permanent Parcel No. 736-29-043, located in the City of Shaker Heights, as a public street.

SECTION 2. That the County Executive is authorized to execute the final Plat in connection with said dedication 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

**Department of Public Works, 2017, Dedication of Part of Warrensville Center Road
in the City of Shaker Heights**

A. Scope of Work Summary

1. Department of Public Works requesting approval of the dedication of 0.0320 acres of part of Warrensville Center Road. The dedication will add a 5' strip of land to the east side of a section of Warrensville Center Road.

The property is part of PPN 736-29-043, which is owned by the City of Shaker Heights

This dedication was requested by the City of Shaker Heights due to development in the area.

- a. The primary goal is approval of the dedication plat
- b. The property is located in the City of Shaker Heights, Ohio
- c. Council District 9

B. Procurement N/A

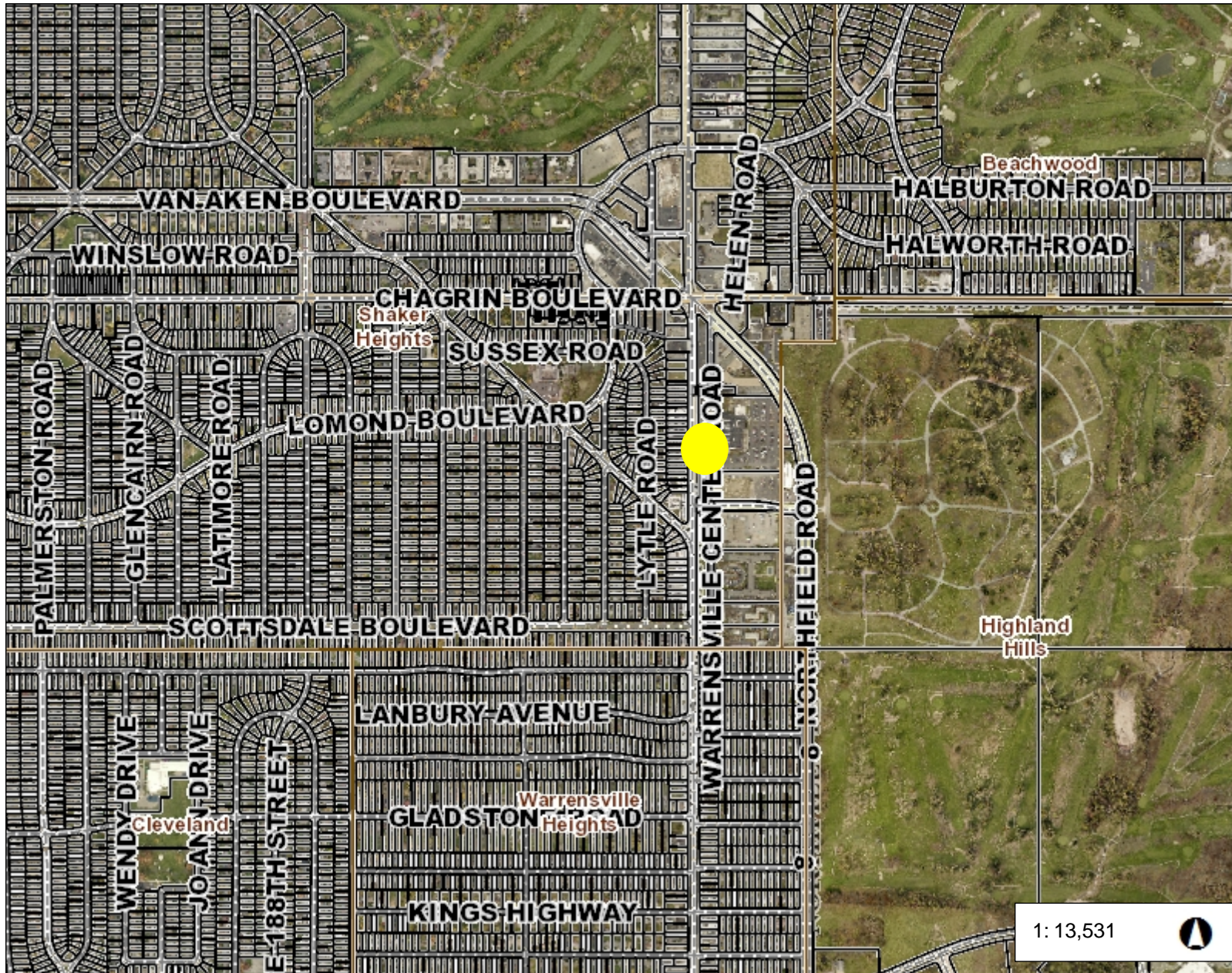
C. Contractor and Project Information N/A

D. Project Status and Planning N/A

E. Funding N/A



Dedication of Part of Warrensville Center Road

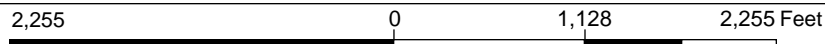


Date Created: 1/29/2018

Legend

- Municipalities
- Platted Centerlines
- Parcels

1: 13,531



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



County Council of Cuyahoga County, Ohio

Resolution No. R2018-0030

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing the transfer to Village of Cuyahoga Heights certain excess County-owned property no longer needed for public use, located East of Interstate 77 at East 71 st Street, Cuyahoga Heights, for a public purpose; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended the transfer to Village of Cuyahoga Heights certain excess County-owned property no longer needed for public use, located East of Interstate 77 at East 71st Street, Cuyahoga Heights, for a public purpose; and

WHEREAS, the County of Cuyahoga owns a tract of land located east of Interstate 77, which is excess property that was purchased in the County's name for the construction of Interstate 77, located east of the interstate and north of Canal Road in Cuyahoga Heights; and

WHEREAS, the County would like to transfer the property to Village of Cuyahoga Heights since the Village is currently maintaining the site; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes the transfer to Village of Cuyahoga Heights certain excess County-owned property no longer needed for public use, located East of Interstate 77 at East 71st Street, Cuyahoga Heights, for a public purpose.

SECTION 2. That the County Executive or his authorized designee is authorized to take all actions, exercise any options, and to execute, acknowledge,

SUMMARY OF REQUESTED ACTION

Property transfer of County-owned property to the Village of Cuyahoga Heights

A. Scope of Work Summary

1. The Department of Public Works is requesting approval of a transfer of County-owned property to the Village of Cuyahoga Heights for \$0.00. The property, located east of I-77, is excess property, purchased in the County's name for the construction of I-77. The Village of Cuyahoga Heights currently maintaining the site.

- a. The goal is to transfer the property to the Village of Cuyahoga Heights.
- b. The property is located east of I-77, north of Canal Road in Cuyahoga Heights, Ohio
- c. District 8

B. Procurement

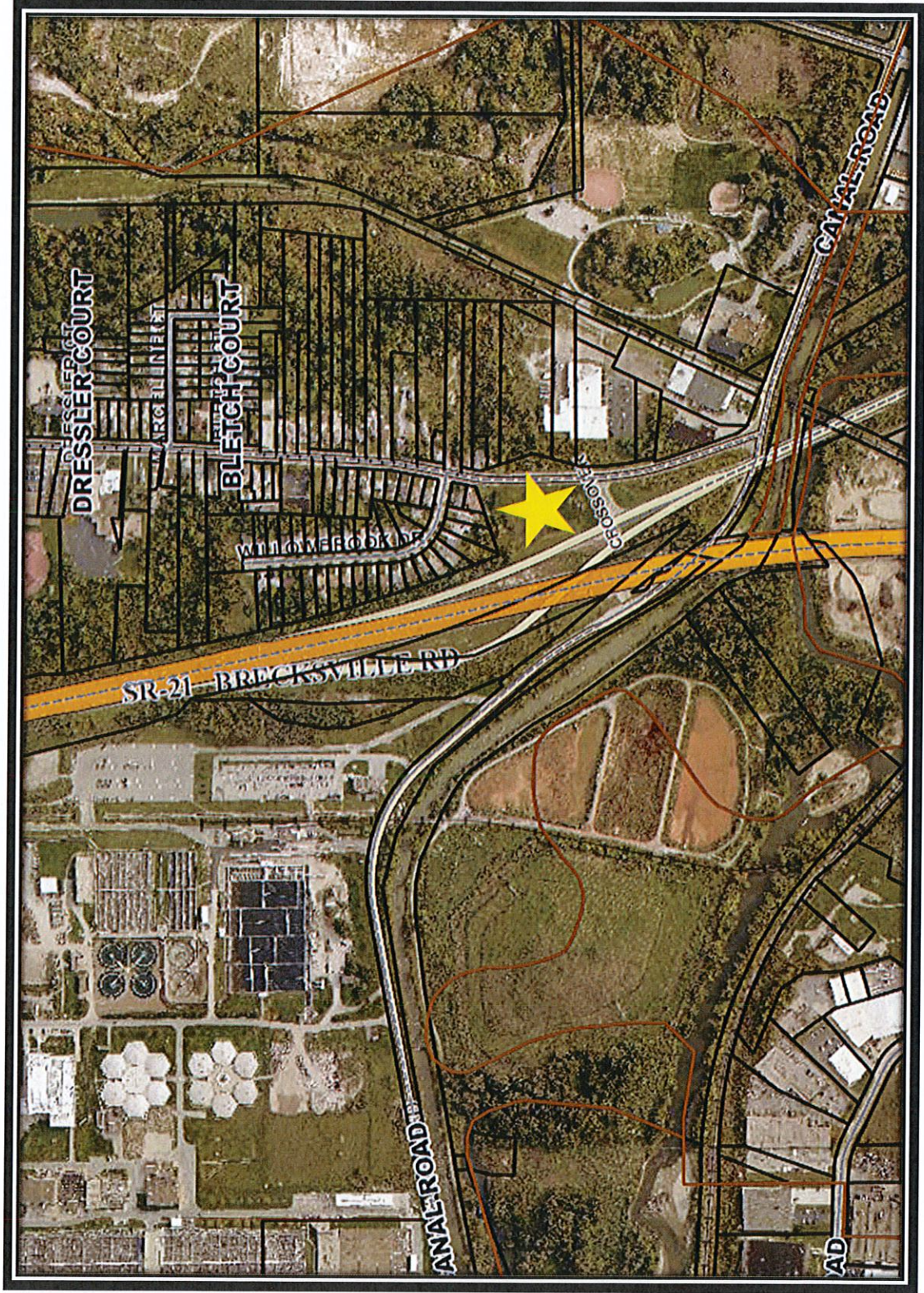
1. N/A

C. Contractor Information

Village of Cuyahoga Heights
Cuyahoga Heights Village Hall
4863 East 71st Street
Cuyahoga Heights, Ohio
Mayor Jack Bacci

Location Map

Parcel Transfer to the Village of Cuyahoga Heights



County Council of Cuyahoga County, Ohio

Resolution No. R2018-0031

Sponsored by: County Executive Budish/Fiscal Officer/Office of Procurement and Diversity	A Resolution making an award on RQ41307 to W.B. Mason Co., Inc. in the amount not-to-exceed \$2,067,000.00 for general office supplies and related services for the period 4/1/2018 - 3/31/2021; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Fiscal Officer/Office of Procurement and Diversity has recommended an award on RQ41307 to W.B. Mason Co., Inc. in the amount not-to-exceed \$2,067,000.00 for general office supplies and related services for the period 4/1/2018 – 3/31/2021; and

WHEREAS, County Council has determined that awarding RQ41307 to W.B. Mason Co., Inc. is in the best interest of the County; and

WHEREAS, Funding for the proposed contract will be 48.5% (or \$1,002,000.00) by the General Fund and 51.5% (or \$1,065,000.00) by Health and Human Services Levy funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ41307 to W.B. Mason Co., Inc. in the amount not-to-exceed \$2,067,000.00 for general office supplies and related services for the period 4/1/2018 – 3/31/2021.

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

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or

Item No. 5

Office of Procurement & Diversity recommending an award and enter into a contract with W. B. Mason Co., Inc. on RQ41307 for General Office Supplies and Related Services for various County Departments and Agencies in the amount of \$2,067,000.00 for the period April 1, 2018 through March 31, 2021.

The primary goal of the contract is for a qualified vendor to supply and deliver general office supplies and related products to various County departments agencies, elected officials, and Other Local Government Agencies on an "as needed basis" at the best possible price and in compliance with the scope of work and deliverables as outlined in the Request for Proposals. Pricing will be fixed for the initial three-year contract term. Pricing will include all anticipated charges, including but not limited to, freight and delivery, cost of material and product, product returns, exchanges, overhead, profits, and other costs and expenses incidental to the vendor's performance for all items on the Core lists.

Vendor will provide a 1.5% rebate annually to the County on all products purchased, with the first payment no later than twenty-one (21) days after the commencement of the first full contract year and each subsequent full year thereafter.

Vendor will provide 50% Discount off manufacture's list pricing, for Non-contract items that vendor is able to provide. Discount of 50% applies to W. B. Mason 2018 Office Products catalog submitted with their proposal (blue spine, white print), excluding the following categories which were excluded per the RFP.

- i. copy paper
- ii. toner cartridges
- iii office furniture/fixtures
- iv computer equipment and peripherals

Pursuant to the Contract vendor agrees that any product pricing resulting from this bid will be extended to other local government agencies. W. B. Mason Co., Inc. as part of the initial implementation process will establish a schedule and contact other local government agencies, both through referrals by the County as well as resulting from its own research and local area resources, with the purpose of introducing those agencies to the Contract and marketing its associated features and benefits to the fullest possible extent.

A performance bond in the amount of the awarded contract has been received.

Procurement

The procurement method for this purchase was a formal Request for Proposals. The total value of the RFP was in the estimated amount of \$2,067,00.00 for a three (3) year period.

The bid closed on 12/11/2017

Twenty (20) RFP's were pulled from OPD and two (2) proposals were submitted.

There is a 9% SBE goal participation for this RFP.

Contractor and project information

W. B. Mason Co., Inc.
59 Centre Street
Brockton, MA 02303

Dan Orr, Senior Vice President, W.B. Mason Company
(508)436-1386

Project status and planning

This is a re-occurring project administered by the Office of Procurement and Diversity for the County, every 3 years. The current contract expires 3/31/2018.

The prior Contract CE1600063 on RQ35635 was awarded to W.B. Mason Co., Inc. The contract was for the period 4/1/2016 through 03/31/2018 in the amount of \$1,710,000.00.

Funding

The funding for this project was included in the annual budget of the various departments and agencies and is funded 100% by general fund dollars from as follows:

28.30% Cuyahoga Job and Family Services
6.53% Senior and Adult Services
16.69% Children & Family Services
48.48% Fiscal

The schedule of payments will be made according to the terms of the contract.

Office of Procurement and Diversity Tabulation Sheet

REQUISITION NUMBER: CC010-18-41307 CONTRACT PERIOD: to CCBB: Low Non-CCBB Bid\$: *PRICE PREFERENCE LOWEST BID REC'D \$
 RFB/RFP/RFQ DUE DATE: 12/11/2017 NUMBER OF RESPONSES: 20/2 Add 2%, Total is: RANGE OF LOWEST BID REC'D \$
 TYPE: (RFB/RFP/RFQ): Rfp ESTIMATE: \$2,067,000.00 Minus \$, = PRICE PEF % & \$ LIMIT:
 REQUESTING DEPARTMENT: SBE GOAL: 6% MBE: 6% WBE: 3% Does CCBB Apply: Yes No MAX SBE PRICE PEF \$
 COMMODITY DESCRIPTION: DOES PRICE PREFERENCE APPLY? Yes No

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review:	Price Preference	CCBB Registered	SBE:		Dept. Tech. Review	Award: (Y/N)
1.	Office Depot 6600 N Military Trail Boca Raton FL 33496			Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A IG Registration Complete: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No IG Number: 12-2077 Expired 12/31/2016 MCF: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	SBE Subcontractor Name: SBE Prime: (Y/N) Total SBE % SBE Comply: (Y/N) SBE Comments and Initials:	 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No SBE 0% MBE 0% WBE 0% <input checked="" type="checkbox"/> Yes LML 12/13/17 <input type="checkbox"/> No Company requested a full waiver due to they have 1 potential partner that is evaluating the opportunity. Other partners are unable to work. See comments on Diversity docs. NM 12/13/17 LML 12/13/17		<input type="checkbox"/> Yes <input type="checkbox"/> No
							SBE			

Transaction ID:

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review:	Price Preference	CCBB Registered	SBE:		Dept. Tech. Review	Award: (Y/N)														
				NCA: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A PH: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A POF: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A CCBB: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			<table border="1"> <tr> <td data-bbox="1327 315 1553 386">Subcontractor Name:</td> <td data-bbox="1553 315 2088 386"></td> </tr> <tr> <td data-bbox="1327 386 1553 457">SBE Prime: (Y/N)</td> <td data-bbox="1553 386 2088 457"> <input type="checkbox"/> Yes <input type="checkbox"/> No </td> </tr> <tr> <td data-bbox="1327 457 1553 496">Total SBE %</td> <td data-bbox="1553 457 2088 496"></td> </tr> <tr> <td data-bbox="1327 496 1553 568">SBE Comply: (Y/N)</td> <td data-bbox="1553 496 2088 568"> <input type="checkbox"/> Yes <input type="checkbox"/> No </td> </tr> <tr> <td data-bbox="1327 568 1553 639">SBE Comments and Initials:</td> <td data-bbox="1553 568 2088 639"></td> </tr> </table>		Subcontractor Name:		SBE Prime: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> No	Total SBE %		SBE Comply: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> No	SBE Comments and Initials:							
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Total SBE %																								
SBE Comply: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> No																							
SBE Comments and Initials:																								
2.	W.B. Mason Company Inc 59 Centre Street Brockton MA 02303			Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A IG Registration Complete: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IG Number: 15-0031	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	<table border="1"> <tr> <td data-bbox="1327 1062 1553 1166">SBE Subcontractor Name:</td> <td data-bbox="1553 1062 2088 1166">(WF) Quality Ribbon & Supplies (SBE/WBE) 9%</td> </tr> <tr> <td data-bbox="1327 1166 1553 1237">SBE Prime: (Y/N)</td> <td data-bbox="1553 1166 2088 1237"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No </td> </tr> <tr> <td data-bbox="1327 1237 1553 1276">Total SBE %</td> <td data-bbox="1553 1237 2088 1276">SBE 0% MBE 0% WBE 9%</td> </tr> <tr> <td data-bbox="1327 1276 1553 1347">SBE Comply: (Y/N)</td> <td data-bbox="1553 1276 2088 1347"> <input checked="" type="checkbox"/> Yes LML 12/13/17 <input type="checkbox"/> No </td> </tr> <tr> <td data-bbox="1327 1347 1553 1419">SBE Comments and Initials:</td> <td data-bbox="1553 1347 2088 1419">Requested a partial waiver due to they want to use the same company to meet</td> </tr> </table>		SBE Subcontractor Name:	(WF) Quality Ribbon & Supplies (SBE/WBE) 9%	SBE Prime: (Y/N)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Total SBE %	SBE 0% MBE 0% WBE 9%	SBE Comply: (Y/N)	<input checked="" type="checkbox"/> Yes LML 12/13/17 <input type="checkbox"/> No	SBE Comments and Initials:	Requested a partial waiver due to they want to use the same company to meet	<table border="1"> <tr> <td data-bbox="2115 1062 2467 1101"></td> <td data-bbox="2467 1062 2483 1101"> </td> </tr> <tr> <td data-bbox="2115 1101 2467 1140"></td> <td data-bbox="2467 1101 2483 1140"> </td> </tr> </table>					<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
SBE Subcontractor Name:	(WF) Quality Ribbon & Supplies (SBE/WBE) 9%																							
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SBE Comments and Initials:	Requested a partial waiver due to they want to use the same company to meet																							

Transaction ID:

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review:	Price Preference	CCBB Registered	SBE:		Dept. Tech. Review	Award: (Y/N)
				MCF: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A NCA: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A PH: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A POF: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A CCBB: <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A				the SBE 6% & WBE 3% goal making it 9% of the goal. They are not suppose to use the same company twice. See comments on Diversity docs. NM 12/13/17 LML 12/13/17		
3.				Compliant: <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A IG Registration Complete:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	SBE Subcontractor Name:			<input type="checkbox"/> Yes <input type="checkbox"/> No
							SBE Prime: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> No		
							Total SBE %			

Transaction ID:

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0032

<p>Sponsored by: County Executive Budish/Department of Development and Councilmember Jones</p>	<p>A Resolution making awards to various municipalities and non-profit organizations, in the total amount of \$1,019,698.00, for various projects in connection with the 2018 Community Development Supplemental Grant Program for the period 3/1/2018 - 2/28/2019; authorizing the County Executive to execute the agreements and contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Development has recommended awards to various municipalities and non-profit organizations, in the total amount of \$1,019,698.00, for various projects in connection with the 2018 Community Development Supplemental Grant (“CDSG”) Program for the period 3/1/2018 - 2/28/2019; and

WHEREAS, the participants of the 2018 CDSG Program have been chosen from the twenty-seven (27) communities and ten (10) non-profit organizations that submitted applications; and

WHEREAS, the Department of Development and a review committee reviewed and analyzed each of the applications based on scoring criteria which evaluates participants based on project description, proposed project feasibility, and implementation plan; and

WHEREAS, based on the scoring criteria, the following is a list of the supplemental grant projects recommended for awards:

- a) One South Euclid in the amount not-to-exceed \$50,000.00 for a Home Repair Grant Program.
- b) City of Fairview Park in the amount not-to-exceed \$50,000.00 for the Playground Installation at Nelson Russ Park Project.
- c) Village of Mayfield in the amount not-to-exceed \$50,000.00 for the Grove Amphitheater Phase II Project.
- d) City of Lakewood in the amount not-to-exceed \$50,000.00 for the Detroit Sloan Gateway Project.

- e) CHN Housing Partners in the amount not-to-exceed \$50,000.00 for the Wiring Replacement Weatherization Program.
- f) City of Euclid in the amount not-to-exceed \$50,000.00 for the purchase of a Senior Center van.
- g) Village of Brooklyn Heights in the amount not-to-exceed \$50,000.00 for the Village Park Improvements Project.
- h) Village of Cuyahoga Heights in the amount not-to-exceed \$50,000.00 for the Sidewalk Extension of East 49th Street to Towpath Trail Project.
- i) City of Parma Heights in the amount not-to-exceed \$50,000.00 for the Wayfinding and Branding Plan.
- j) Shaker Heights Development Corporation in the amount not-to-exceed \$50,000.00 for the Streetscape Enhancements of Lee Road Project.
- k) City of Broadview Heights in the amount not-to-exceed \$50,000.00 for the Community Amphitheater Construction Project.
- l) City of Strongsville in the amount not-to-exceed \$50,000.00 for the Senior Center Meeting Room Upgrade Project.
- m) Famicos Foundation in the amount not-to-exceed \$50,000.00 for the Cultural Gardens Welcome Center Project.
- n) Village of Oakwood in the amount not-to-exceed \$50,000.00 for the Railroad Crossing Improvement at Richmond Road Project.
- o) Village of Glenwillow in the amount not-to-exceed \$50,000.00 for the Railroad Crossing Improvement at Richmond Road Project.
- p) City of Olmsted Falls in the amount not-to-exceed \$50,000.00 for the Downtown Safety and Aesthetic Improvements Project.
- q) City of Maple Heights in the amount not-to-exceed \$49,945.00 for the Lee/Libby Pocket Park Improvement Project.
- r) City of Middleburg Heights in the amount not-to-exceed \$50,000.00 for the Resurfacing of Old Pleasant Valley Road Project.
- s) City of Richmond Heights in the amount not-to-exceed \$48,000.00 for the Greenwood Farm Sanitary Sewer Project.
- t) Kamm's Corners Development Corporation in the amount not-to-exceed \$26,753.00 for the Parking Lot Security Upgrades Project.
- u) Bedford Community Development Corporation in the amount not-to-exceed \$45,000.00 for the Storefront Renovation Program.

WHEREAS, the awards are funded 100% from Casino Revenue Funds and the municipalities and non-profit organizations are located in County Council District Nos. 1, 2, 4, 5, 6, 7, 8, 9 and 11; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes awards to various municipalities and non-profit organizations, in the total amount of \$1,019,698.00, for various projects in connection with the 2018 Community Development Supplemental Grant Program for the period 3/1/2018 - 2/28/2019 as follows:

- a) One South Euclid in the amount not-to-exceed \$50,000.00 for a Home Repair Grant Program.
- b) City of Fairview Park in the amount not-to-exceed \$50,000.00 for the Playground Installation at Nelson Russ Park Project.
- c) Village of Mayfield in the amount not-to-exceed \$50,000.00 for the Grove Amphitheater Phase II Project.
- d) City of Lakewood in the amount not-to-exceed \$50,000.00 for the Detroit Sloan Gateway Project.
- e) CHN Housing Partners in the amount not-to-exceed \$50,000.00 for the Wiring Replacement Weatherization Program.
- f) City of Euclid in the amount not-to-exceed \$50,000.00 for the purchase of a Senior Center van.
- g) Village of Brooklyn Heights in the amount not-to-exceed \$50,000.00 for the Village Park Improvements Project.
- h) Village of Cuyahoga Heights in the amount not-to-exceed \$50,000.00 for the Sidewalk Extension of East 49th Street to Towpath Trail Project.
- i) City of Parma Heights in the amount not-to-exceed \$50,000.00 for the Wayfinding and Branding Plan.
- j) Shaker Heights Development Corporation in the amount not-to-exceed \$50,000.00 for the Streetscape Enhancements of Lee Road Project.
- k) City of Broadview Heights in the amount not-to-exceed \$50,000.00 for the Community Amphitheater Construction Project.
- l) City of Strongsville in the amount not-to-exceed \$50,000.00 for the Senior Center Meeting Room Upgrade Project.
- m) Famicos Foundation in the amount not-to-exceed \$50,000.00 for the Cultural Gardens Welcome Center Project.
- n) Village of Oakwood in the amount not-to-exceed \$50,000.00 for the Railroad Crossing Improvement at Richmond Road Project.
- o) Village of Glenwillow in the amount not-to-exceed \$50,000.00 for the Railroad Crossing Improvement at Richmond Road Project.
- p) City of Olmsted Falls in the amount not-to-exceed \$50,000.00 for the Downtown Safety and Aesthetic Improvements Project.
- q) City of Maple Heights in the amount not-to-exceed \$49,945.00 for the Lee/Libby Pocket Park Improvement Project.
- r) City of Middleburg Heights in the amount not-to-exceed \$50,000.00 for the Resurfacing of Old Pleasant Valley Road Project.
- s) City of Richmond Heights in the amount not-to-exceed \$48,000.00 for the Greenwood Farm Sanitary Sewer Project.
- t) Kamm's Corners Development Corporation in the amount not-to-exceed \$26,753.00 for the Parking Lot Security Upgrades Project.

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

Journal _____
_____, 2018



Date: January 16, 2018
To: Cuyahoga County Council – Dan Brady, President
From: Kenneth Surratt/ Sara Parks Jackson
Re: 2018 CDSG recommendations
CC: Armond Budish, Sharon Sobol-Jordan, Matt Carroll, Theodore Carter

The 2018 CDSG competitive Grant process began September 15th with the release of the 2018 application and instructions. An information session was held October 13th with potential applicants to provide a mini workshop on what makes a successful application and to go over the requirements of the 2018 CDSG application in detail.

37 applications were returned to the Department of Development by the due date of November 30, 2017 by 4:30pm. At the end of the day on November 30th the following 27 communities and 10 non-profits submitted applications for consideration in a total amount of \$1,799,480.47:

Organization By District	District	Activity	Amount
Bay Village	1	Safety	\$50,000.00
Fairview Park	1	Playground	\$50,000.00
Bellaire-Puritas Development Corp	2	Mural	\$50,000.00
Lakewood	2	Streetscaping	\$50,000.00
Kamms Corner Development Corp	2	Safety	\$26,753.00
Cudell Improvement Corporation	3	Signage	\$48,000.00
Middleburg Heights	4	Infrastructure	\$50,000.00
Parma	4	Signage	\$50,000.00
Parma Heights	4	Master Plan	\$50,000.00
Olmsted Falls	5	Streetscaping	\$50,000.00
Strongsville	5	Community Center	\$50,000.00
Olmsted Township	5	Renovation	\$50,000.00
Broadview Heights	6	Amphitheater	\$50,000.00
Mayfield Village	6	Park	\$50,000.00
Oakwood Village	6	Infrastructure	\$50,000.00
Brooklyn Heights	6	Infrastructure	\$50,000.00
Glen Willow	6	Infrastructure	\$50,000.00
Valley View	6	Demolition	\$50,000.00
Cleveland Housing Network	7	Safety	\$50,000.00
Fairfax Renaissance	7	Landscaping	\$50,000.00
Famicos Foundation	7	Renovation	\$50,000.00
Slavic Village Development Corp	7	Streetscaping	\$49,991.47
Garfield Heights	8	Park	\$50,000.00
Maple Heights	8	Park	\$49,945.00
Cuyahoga Heights	8	Infrastructure	\$50,000.00

Newburgh Heights	8	Infrastructure	\$50,000.00
Bedford CDC	9	Storefront	\$45,000.00
Bedford	9	Safety	\$30,720.00
Bedford Heights	9	Energy efficiency	\$50,000.00
Warrensville Heights	9	Park	\$50,000.00
Shaker Heights Dev. Corporation	9	Streetscaping	\$50,000.00
Woodmere	9	Community Center	\$50,000.00
Cleveland Heights	10	Safety	\$49,071.00
Euclid	11	Van	\$50,000.00
Lyndhurst	11	Storefront	\$50,000.00
Richmond Heights	11	Community Ctr.	\$50,000.00
One South Euclid	11	Exterior Maint.	\$50,000.00

Applications were categorized into the following groups for review purposes:

- | | |
|--------------------------|-----------------------------|
| 9 - Miscellaneous | 4 - Streetscape |
| 6 – Infrastructure | 3 – Community/Senior Center |
| 6 - Parks and Playground | 2 - Signage |
| 5 - Safety | 2 - Storefront |

This was a competitive process with the review committee consisting of representatives from the Department of Development (2), County Council, County Planning Commission and Cleveland State University College of Urban Affairs.

The team thoroughly reviewed all 37 of the applications submitted and recommends the following for funding:

Applicant	Requested	Description
One South Euclid	\$50,000	Home Repair Grant Program
Fairview Park	\$50,000	Playground Installation at Nelson Russ Park
Mayfield Village	\$50,000	Grove Amphitheater Phase II
Lakewood	\$50,000	Detroit Sloan Gateway Project
CHN Housing Partners	\$50,000	Wiring Replacement Weatherization Program
Euclid	\$50,000	Purchase Senior Center Van
Brooklyn Heights	\$50,000	Village Park Improvements
Cuyahoga Heights	\$50,000	Sidewalk Extension E. 49th Street to Towpath Trail
Parma Heights	\$50,000	Wayfinding and Branding Plan
Shaker Heights DC	\$50,000	Streetscape Enhancements Lee Road
Broadview Heights	\$50,000	Community Amphitheater Construction
Strongsville	\$50,000	Senior Center Meeting Room Upgrade
Famicos Foundation	\$50,000	Cultural Gardens Welcome Center
Oakwood	\$50,000	Railroad Crossing Improvement Richmond Road (w Glenwillow)
Glenwillow	\$50,000	Railroad Crossing Improvement Richmond Road (w Oakwood)
Olmsted Falls	\$50,000	Downtown Safety and Aesthetic Improvements
Maple Heights	\$49,945	Lee Libby Pocket Park Improvement
Middleburg Heights	\$50,000	Road Resurfacing Old Pleasant Valley
Richmond Heights	\$48,000	Greenwood Farm Sanitary Sewer -Requested \$50,000
Kamms Corners DC	\$26,753	Parking Lot Security Upgrades
	\$974,698	
2016 approximate balance	\$31,582	2016 funds not used
2017 Balance	\$25,302	2017 Funds not allocated to project
	\$56,884	
Bedford Community DC	(\$45,000)	Storefront Renovation Program
	\$11,884	

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0033

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$2,867,102.00 for management and administration of the Family Child Care Homes Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$2,867,102.00 for management and administration of the Family Child Care Homes (FCCH) Program for Invest in Children for the period 1/1/2018 - 12/31/2019; and

WHEREAS, the primary goal of this project is to improve the quality of family child care homes, support family child care homes in maintaining their license, and to facilitate entry into or maintenance of the Step Up to Quality (SUTQ) star rating; and

WHEREAS, the funding for this project is with 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 a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$2,867,102.00 for management and administration of the Family Child Care Homes Program for Invest in Children for the period 1/1/2018 - 12/31/2019.

Journal _____
_____, 20__

Legislative Action Request Form

DIRECTIONS: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda “*Summary of Requested Action*” section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields.

Title: Office of Early Childhood/Invest in Children 2018 Contract with Starting Point for the Family Child Care Home (FCCH) for Invest In Children. RQ#: EC-18-41668

A. Scope of Work Summary

1. Office of Early Childhood/Invest in Children requesting approval of a contract, with Starting Point for the anticipated cost (of or \$2,867,102.00). The anticipated start-completion dates are (1/1/2018 through 12/31/2019).

2. The primary goals of the project are:

-) To improve the quality of family child care homes
-) To support family child care homes in maintaining their license.
-) To facilitate family child care homes into the Step Up To Quality (SUTQ) star rating system or maintaining their star rating.

3. N/A

B. Procurement

1. The procurement method for this project was Exemption. The total value of the exemption is \$2,867,102.00

2. N/A

3. [Option 3] The proposed contract received an exemption on TBD.

C. Contractor and Project Information

Starting Point

4600 Euclid Ave., Suite 500

Cleveland, OH, 44103

Council District 7

2. The executive director for the contractor/vendor is Billie Osborne-Fears.

3.b The project is located in Council District 7

D. Project Status and Planning

1. The project annually.

2. N/a

3. N/A

4. The project's term has already begun.

This contract is being submitted late for a variety of unique and critical issues:

During the past month, the Office of Early Childhood moved from Courthouse Square to Quincy Place. The move was very disruptive of our operations and included not just the physical move but also a migration to the state computer/email network. The move delayed the normal processing of this contract AND delayed access to critical county systems such as FAMIS, BuySpeed on Onbase which were necessary to submit this contract.

The Office of Early Childhood has worked closely with the Law Department to revise and approve contract. Currently, there is only one attorney assigned to work with all of HHS; this is clearly not adequate and led to delays in the submission of this contract.

Per the direction of HHS leadership, all OEC contracts, including this one, must now contain outcomes, in addition to deliverables and outputs. As this is a fundamental change in the way HHS contracts are structured, substantial negotiation was required with this vendor to come to agreement on the outcomes included. This introduced delays in the processing of this contract.

Per the direction of Risk Management, this contract included additional substantial cyberinsurance coverage requirements because this vendor maintains a data system that includes personal information on children and families served by this program. These insurance requirements were new for the vendor and incurred a substantial increase in cost. These requirements needed to be negotiated and the vendor needed to make provisions to come into compliance with these new requirements, including revising the budget to pay for these increases.

The administration cut the budget for this contract by \$500,000.00. We needed to wait until the final county budget was approved by council on December 12, 2017 to verify that this cut had been restored. The restoration of these funds made is necessary for the provider to submit a revised scope of services and a revised budget in order to account for this addition delaying the submission of this contract.

5.N/A

E. Funding

1. The project is funded 100% by the Health and Human Services Levy.
2. The schedule of payments is monthly.
3. N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0034

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$1,587,702.00 for administration and coordination of the Teacher Education and Compensation Help and Early Care and Education Center Capacity Expansion Program and Child Care Resource Referral Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Office of Early Childhood has recommended a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$1,587,702.00 for administration and coordination of the Teacher Education and Compensation Help and Early Care and Education Center Capacity Expansion Program and Child Care Resource Referral Program for Invest in Children for the period 1/1/2018 - 12/31/2019; and

WHEREAS, the primary goals of this project are to: (a) improve the quality of center-based child care by providing technical assistance and training to center based child care providers; (b) provide scholarships, training and technical assistance to individual child care providers through the T.E.A.C.H. component of the program; and (c) recruit and increase the number of centers participating in Step Up to Quality star rating system; and

WHEREAS, the funding for this project is 100% 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 a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$1,587,702.00 for administration and coordination of the Teacher Education and Compensation Help and Early Care and Education Center Capacity Expansion Program and Child Care Resource Referral Program for Invest in Children for the period 1/1/2018 - 12/31/2019.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

Legislative Action Request Form

DIRECTIONS: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda “*Summary of Requested Action*” section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields.

Title: Office of Early Childhood/Invest in Children 2018 contract with Starting Point for the Teacher Education Compensation Helps and Early Care and Education Capacity and Expansion Program for Invest In Children. RQ#: EC-18-41655

A. Scope of Work Summary

1. Office of Early Childhood/Invest in Children requesting approval of a contract, with Starting Point for the anticipated cost (of or \$1,587,702.00). The anticipated start-completion dates are (1/1/2018 through 12/31/2019).
2. The primary goals of the project are:
 -) To improve the quality of center based child care by providing technical assistance and training to individual child care providers.
 -) To provide scholarships, training and technical assistance to individual child care providers through the TEACH component of the program.
 -) Recruit and increase the number of centers participating in the state administered voluntary tiered rating system known as Step Up To Quality.
 -) Increase the supply of quality child care through start up or expansion of early care and education programs in neighborhoods where care has been determined to be needed.
3. N/A

B. Procurement

1. The procurement method for this project was Exemption. The total value of the exemption is \$1,587,702.00
- 2.N/A
- 3.[*Option 3*] The proposed contract received an exemption on TBD

C. Contractor and Project Information

Starting Point
4600 Euclid Ave., Suite 500
Cleveland, OH, 44103
Council District 7

2. The executive director for the contractor/vendor is Billie Osborne-Fears.
- 3.b The project is located in Council District 7

D. Project Status and Planning

1. The project annually.
2. N/a
3. N/A
4. The project's term has already begun.

This contract is being submitted late for a variety of unique and critical issues:

During the past month, the Office of Early Childhood moved from Courthouse Square to Quincy Place. The move was very disruptive of our operations and included not just the physical move but also a migration to the state computer/email network. The move delayed the normal processing of this contract AND delayed access to critical county systems such as FAMIS, BuySpeed on Onbase which were necessary to submit this contract.

The Office of Early Childhood has worked closely with the Law Department to revise and approve contract. Currently, there is only one attorney assigned to work with all of HHS; this is clearly not adequate and led to delays in the submission of this contract.

Per the direction of HHS leadership, all OEC contracts, including this one, must now contain outcomes, in addition to deliverables and outputs. As this is a fundamental change in the way HHS contracts are structured, substantial negotiation was required with this vendor to come to agreement on the outcomes included. This introduced delays in the processing of this contract.

Per the direction of Risk Management, this contract included additional substantial cyberinsurance coverage requirements because this vendor maintains a data system that includes personal information on children and families served by this program. These insurance requirements were new for the vendor and incurred a substantial increase in cost. These requirements needed to be negotiated and the vendor needed to make provisions to come into compliance with these new requirements, including revising the budget to pay for these increases.

5.N/A

E. Funding

1. The project is funded (100% by the Health and Human Services Levy
2. The schedule of payments is monthly.
3. N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0035

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for Invest in Children for the period 1/1/2018 - 12/31/2019; and

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

WHEREAS, the funding for this project is 100% from the Health and Human Services Levy Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$914,124.00 for the Newborn Home Visiting Program for Invest in Children for the period 1/1/2018 - 12/31/2019.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__

Legislative Action Request Form

DIRECTIONS: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda “*Summary of Requested Action*” section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields.

Title: Office of Early Childhood/Invest in Children 2018 Cuyahoga County District Board of Health contract for Newborn Home Visiting Program RQ # EC-18-41657

A. Scope of Work Summary

1. Office of Early Childhood/Invest in Children requesting approval of a contract, with Cuyahoga County District Board of Health for the anticipated cost (of or \$914,124.00). The anticipated start-completion dates are (1/1/2018-12/31/2019).
2. The primary goals of the project are :
 -) Improve maternal and infant health and household safety
 -) Connect families to other community resources that support families
 -) Enhance parent skills
 -) Link families to a medical home
3. N/A

B. Procurement

1. The procurement method for this project was Exemption. The total value of the exemption is \$914,124.00.
- 2.N/A
- 3.[*Option 3*] The proposed contract, loan, agreement, etc. Will receive an exemption on TBD.

C. Contractor and Project Information

1. The address(es) of all vendors and/or contractors is (provide the full address in the following format):
Cuyahoga County District Board of Health
5550 Venture Avenue
Parma, Ohio 44130
Council District (xx)
2. The Health Commissioner for the contractor/vendor is Terry Allan
- 3.a [*When applicable*] The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):
Cuyahoga County District Board of Health
5550 Venture Avenue
Parma, Ohio 44130
- 3.b. [*When applicable*]The project is located in Council District County Wide

D. Project Status and Planning

1. The project reoccurs annually

2. N/a
3. N/A
4. The project's term has already begun. The reason there was a delay in this request is:

This contract is being submitted late for a variety of unique and critical issues:

During the past month, the Office of Early Childhood moved from Courthouse Square to Quincy Place. The move was very disruptive of our operations and included not just the physical move but also a migration to the state computer/email network. The move delayed the normal processing of this contract AND delayed access to critical county systems such as FAMIS, BuySpeed on Onbase which were necessary to submit this contract.

The Office of Early Childhood has worked closely with the Law Department to revise and approve contract. Currently, there is only one attorney assigned to work with all of HHS; this is clearly not adequate and led to delays in the submission of this contract.

Per the direction of HHS leadership, all OEC contracts, including this one, must now contain outcomes, in addition to deliverables and outputs. As this is a fundamental change in the way HHS contracts are structured, substantial negotiation was required with this vendor to come to agreement on the outcomes included. This introduced delays in the processing of this contract.

Per the direction of Risk Management, this contract included additional substantial cyberinsurance coverage requirements because this vendor maintains a data system that includes personal information on children and families served by this program. These insurance requirements were new for the vendor and incurred a substantial increase in cost. These requirements needed to be negotiated and the vendor needed to make provisions to come into compliance with these new requirements, including revising the budget to pay for these increases.

5.N/A.

E. Funding

1. The project is funded (100% by the Health and Human Services Levy
2. The schedule of payments is monthly.
3. N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0036

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$733,890.00 for administration and coordination of the MomsFirst Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$733,890.00 for administration and coordination of the MomsFirst Program for Invest in Children for the period 1/1/2018 - 12/31/2019; and

WHEREAS, the primary goals of this project are to: (a) reduce infant mortality; and (b) reduce low and extremely low birth weight; and

WHEREAS, the funding for this project is 100% 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.

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

SECTION 1. That the Cuyahoga County Council hereby approves an agreement with City of Cleveland/Department of Public Health in the amount not-to-exceed \$733,890.00 for administration and coordination of the MomsFirst Program for Invest in Children for the period 1/1/2018 - 12/31/2019.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__

Legislative Action Request Form

DIRECTIONS: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda “*Summary of Requested Action*” section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields.

Title: The Office of Early Childhood/Invest in Children 2018 City of Cleveland Department of Public Health contract for the MomsFirst Program RQ – 18-41670

A. Scope of Work Summary

1. The Office of Early Childhood/Invest in Children requesting approval of a contract, with City of Cleveland Department of Public Health for the anticipated cost of \$733,890.00). The anticipated start-completion dates are (01/01/2018- 12/31/2019).
2. The primary goals of the project are:
 -) The infant mortality rate for participating families is at or below the Healthy People 2020 target of 6.0 infant deaths per 1,000 live births.
 -) The percent of children born at low birth weight is at or below the Healthy People 2020 target of 7.8%.
 -) The percent of children born at very low birth weight is at or below the Healthy People 2020 target of 1.4%.
 -) The percent of children born preterm is at or below the Healthy People 2020 target of 9.4%.
3. N/A

B. Procurement

1. The procurement method for this project was Exemption. The total value of the exemption is \$733,890.00
2. The (above procurement method) was closed on (date). (*When applicable*) There is an SBE or DBE participation/goal (list the % of both).
3. [*Option 3*] The proposed contract, received an exemption on TBD.

C. Contractor and Project Information

1. The address(es) of all vendors and/or contractors is (provide the full address in the following format):
City of Cleveland Department of Public Health
75 Erieview Plaza, 3rd Floor
Cleveland, OH 44114
Council District 7
2. The executive director for the contractor/vendor is Merle Gordon
- 3.a [*When applicable*] The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):
City of Cleveland Department of Public Health
75 Erieview Plaza, 3rd Floor
Cleveland, OH 44114

3.b. The project is located in Council District All of city of Cleveland

D. Project Status and Planning

1. The project reoccurs annually
2. N/A
3. N/A
4. The project's term has already begun or ended. The reason there was a delay in this request is:

This contract is being submitted late for a variety of unique and critical issues:

During the past month, the Office of Early Childhood moved from Courthouse Square to Quincy Place. The move was very disruptive of our operations and included not just the physical move but also a migration to the state computer/email network. The move delayed the normal processing of this contract AND delayed access to critical county systems such as FAMIS, BuySpeed on Onbase which were necessary to submit this contract.

The Office of Early Childhood has worked closely with the Law Department to revise and approve contract. Currently, there is only one attorney assigned to work with all of HHS; this is clearly not adequate and led to delays in the submission of this contract.

Per the direction of HHS leadership, all OEC contracts, including this one, must now contain outcomes, in addition to deliverables and outputs. As this is a fundamental change in the way HHS contracts are structured, substantial negotiation was required with this vendor to come to agreement on the outcomes included. This introduced delays in the processing of this contract.

Per the direction of Risk Management, this contract included additional substantial cyberinsurance coverage requirements because this vendor maintains a data system that includes personal information on children and families served by this program. These insurance requirements were new for the vendor and incurred a substantial increase in cost. These requirements needed to be negotiated and the vendor needed to make provisions to come into compliance with these new requirements, including revising the budget to pay for these increases.

5. N/A

E. Funding

1. The project is funded 100% by Health and Human Services Levy
2. The schedule of payments is monthly.
3. N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0037

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing a contract with Family Connections of Northeast Ohio in the amount not-to-exceed \$500,172.00 for fiscal and administrative services for the Supporting Partnerships to Assure Ready Kids Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended a contract with Family Connections of Northeast Ohio in the amount not-to-exceed \$500,172.00 for fiscal and administrative services for the Supporting Partnerships to Assure Ready Kids (SPARK) Program for Invest in Children for the period 1/1/2018 - 12/31/2019; and

WHEREAS, the SPARK program is an early literacy program for toddlers aged 3 to 5 with the goal of improving school readiness levels among SPARK children entering kindergarten; and

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

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a contract with Family Connections of Northeast Ohio in the amount not-to-exceed \$500,172.00 for fiscal and administrative services for the Supporting Partnerships to Assure Ready Kids (SPARK) Program for Invest in Children for the period 1/1/2018 - 12/31/2019.

Journal _____
_____, 20__

Legislative Action Request Form

DIRECTIONS: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda “*Summary of Requested Action*” section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields.

Title: The Office of Early Childhood/Invest in Children 2018 Family Connections of Northeast Ohio contract for the Supporting Partnerships to Assure Ready Kids (SPARK) Program RQ – 18 - 41661

A. Scope of Work Summary

1. The Office of Early Childhood/Invest in Children requesting approval of a contract, with Family Connections of Northeast Ohio for the anticipated cost of \$500,172.00. The anticipated start-completion dates are (01/01/2018- 12/31/2019).
2. The primary goals of the project are:
 -) Improve school-readiness levels among SPARK children entering kindergarten (as evaluated by CWRU)
 -) Improve children’s literacy and numeracy skills
 -) Empower parents to be their child's first teacher by supporting affectionate, responsive, encouraging, and educational interactions between parent and child.
 -) Support children with developmental disabilities or delays and their families.
 -) Improve school attendance rates.
 -) Increase SPARK participant scores on the 3rd grade Ohio Achievement Tests (OAT) in reading and math

B. Procurement

1. The procurement method for this project was Exemption. The total value of the exemption is \$500,172.00
- 2.N/A
3. The proposed contract, received an exemption on TBD.

C. Contractor and Project Information

1. The address(es) of all vendors and/or contractors is (provide the full address in the following format):
Family Connections of Northeast Ohio
19824 Sussex Road
Shaker Heights OH, 44122.
Council District 9
2. The executive director for the contractor/vendor is Joanne Federman
- 3.a [*When applicable*] The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):
Family Connections of Northeast Ohio
19824 Sussex Road, Shaker Heights OH, 44122.

3.b. The project is located in East Cleveland, Warrensville Heights, Maple Heights and several schools in Cleveland.

D. Project Status and Planning

1. The project reoccurs annually
2. N/A
3. N/A
4. The project's term has already begun or ended. The reason there was a delay in this request is:

This contract is being submitted late for a variety of unique and critical issues:

During the past month, the Office of Early Childhood moved from Courthouse Square to Quincy Place. The move was very disruptive of our operations and included not just the physical move but also a migration to the state computer/email network. The move delayed the normal processing of this contract AND delayed access to critical county systems such as FAMIS, BuySpeed on Onbase which were necessary to submit this contract.

The Office of Early Childhood has worked closely with the Law Department to revise and approve contract. Currently, there is only one attorney assigned to work with all of HHS; this is clearly not adequate and led to delays in the submission of this contract.

Per the direction of HHS leadership, all OEC contracts, including this one, must now contain outcomes, in addition to deliverables and outputs. As this is a fundamental change in the way HHS contracts are structured, substantial negotiation was required with this vendor to come to agreement on the outcomes included. This introduced delays in the processing of this contract.

Per the direction of Risk Management, this contract included additional substantial cyberinsurance coverage requirements because this vendor maintains a data system that includes personal information on children and families served by this program. These insurance requirements were new for the vendor and incurred a substantial increase in cost. These requirements needed to be negotiated and the vendor needed to make provisions to come into compliance with these new requirements, including revising the budget to pay for these increases.

5. N/A

E. Funding

1. The project is funded 100% by Health and Human Services Levy
2. The schedule of payments is monthly.
3. N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0038

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$3,967,986.00 for management and administration of the Special Needs Child Care Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$3,967,986.00 for management and administration of the Special Needs Child Care Program for Invest in Children for the period 1/1/2018 - 12/31/2019; and

WHEREAS, the Special Needs Child Care program provides child assessments, technical assistance, training, special equipment and resources for families who are in need of specialized child care; and

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

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a contract with Child Care Resource Center of Cuyahoga County dba Starting Point in the amount not-to-exceed \$3,967,986.00 for management and administration of the Special Needs Child Care Program for Invest in Children for the period 1/1/2018 - 12/31/2019.

Journal _____
_____, 20__

Legislative Action Request Form

DIRECTIONS: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda “*Summary of Requested Action*” section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields.

Title: Office of Early Childhood/Invest in Children 2018 contract with Starting Point for the Special Needs Child Care (SNCC) for Invest In Children. RQ#: EC-18-41651

A. Scope of Work Summary

1. Office of Early Childhood/Invest in Children requesting approval of a contract, with Starting Point for the anticipated cost (of or \$3,967,986.00). The anticipated start-completion dates are (1/1/2018 through 12/31/2019).
2. The primary goals of the project are:
 -) To increase inclusion of young children with identified disabilities, challenging behaviors, medical needs and children who are “at risk” of expulsion when served in typical child care settings.
 -) To provide child assessments, technical assistance, training, special equipment and resources for families who need specialized child care.
3. N/A

B. Procurement

1. The procurement method for this project was Exemption. The total value of the exemption is \$3,967,986.00
2. N/A
3. [Option 3] The proposed contract received an exemption on TBD.

C. Contractor and Project Information

- Starting Point
4600 Euclid Ave., Suite 500
Cleveland, OH, 44103
Council District 7
2. The executive director for the contractor/vendor is Billie Osborne-Fears.
 - 3.b The project is located in Council District 7

D. Project Status and Planning

1. The project annually.
2. N/a
3. N/A
4. The project’s term has already begun.

This contract is being submitted late for a variety of unique and critical issues:

During the past month, the Office of Early Childhood moved from Courthouse Square to Quincy Place. The move was very disruptive of our operations and included not just the physical move but also a migration to the state computer/email network. The move delayed the normal processing of this contract AND delayed access to critical county systems such as FAMIS, BuySpeed on Onbase which were necessary to submit this contract.

The Office of Early Childhood has worked closely with the Law Department to revise and approve contract. Currently, there is only one attorney assigned to work with all of HHS; this is clearly not adequate and led to delays in the submission of this contract.

Per the direction of HHS leadership, all OEC contracts, including this one, must now contain outcomes, in addition to deliverables and outputs. As this is a fundamental change in the way HHS contracts are structured, substantial negotiation was required with this vendor to come to agreement on the outcomes included. This introduced delays in the processing of this contract.

Per the direction of Risk Management, this contract included additional substantial cyberinsurance coverage requirements because this vendor maintains a data system that includes personal information on children and families served by this program. These insurance requirements were new for the vendor and incurred a substantial increase in cost. These requirements needed to be negotiated and the vendor needed to make provisions to come into compliance with these new requirements, including revising the budget to pay for these increases.

5.N/A

E. Funding

1. The project is funded (100% by the Health and Human Services Levy
 2. The schedule of payments is monthly.
 3. N/A
- 5.N/A

E. Funding

1. The project is funded 100% by the Health and Human Services Levy.
2. The schedule of payments is monthly.
3. N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0039

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an agreement with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,495,058.00 for fiscal agent and administrative services for the Bright Beginnings and Parents as Teachers Programs for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an agreement with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,495,058.00 for fiscal agent and administrative services for the Bright Beginnings and Parents as Teachers Programs for Invest in Children for the period 1/1/2018 - 12/31/2019; and

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

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

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an agreement with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$2,495,058.00 for fiscal agent and administrative services for the Bright Beginnings and Parents as Teachers Programs for Invest in Children for the period 1/1/2018 - 12/31/2019.

Journal _____
_____, 20__

Legislative Action Request Form

DIRECTIONS: Use the following form when requesting completion of a contract, amendment, lease, or any other agreement involving the County. Enter the following information in the required NovusAgenda “*Summary of Requested Action*” section. Enter this information directly or paste (plain or unformatted text) into the section. Complete all items within the (parenthesis) as well as all other relevant NovusAgenda fields.

Title: The Office of Early Childhood/Invest in Children 2018 Educational Service Center Of Cuyahoga County contract for the Bright Beginnings/Parents As Teachers Program RQ – 18 - 41650

A. Scope of Work Summary

1. The Office of Early Childhood/Invest in Children requesting approval of a contract, with Educational Service Center Of Cuyahoga County for the anticipated cost of \$2,495,058.00. The anticipated start-completion dates are (01/01/2018- 12/31/2019).
2. The primary goals of the project are:
 - J Parents demonstrate positive parenting skills and quality parent-child interactions as measured by scores on the PICCOLO scale.
 - J Parents are engaged in the program and with each other, as measured by participation in group connections and/or the Facebook group.
 - J Families are appropriately connected to early intervention services when their child demonstrates developmental delays (as measured by ASQ and/or ASQ:SE).
 - J Families are satisfied with their experience in the program, as measured by satisfaction surveys.
 - J Parents are connected to mental health services, as measured by the number of referrals resulting in utilization of service.
3. N/A

B. Procurement

1. The procurement method for this project was Exemption. The total value of the exemption is \$2,495,058.00
- 2.N/A
3. The proposed contract, received an exemption on TBD.

C. Contractor and Project Information

1. The address(es) of all vendors and/or contractors is (provide the full address in the following format):
Educational Service Center Of Cuyahoga County
6393 Oak Tree Boulevard
Independence, Ohio 44131
Council District 6
2. The executive director for the contractor/vendor is Dr. Robert Mengerink
- 3.a [*When applicable*] The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):
Educational Service Center Of Cuyahoga County

6393 Oak Tree Boulevard
Independence, Ohio 44131

3.b. The project is located county wide.

D. Project Status and Planning

1. The project reoccurs annually
2. N/A
3. N/A
4. The project's term has already begun or ended. The reason there was a delay in this request is:

This contract is being submitted late for a variety of unique and critical issues:

During the past month, the Office of Early Childhood moved from Courthouse Square to Quincy Place. The move was very disruptive of our operations and included not just the physical move but also a migration to the state computer/email network. The move delayed the normal processing of this contract AND delayed access to critical county systems such as FAMIS, BuySpeed on Onbase which were necessary to submit this contract.

The Office of Early Childhood has worked closely with the Law Department to revise and approve contract. Currently, there is only one attorney assigned to work with all of HHS; this is clearly not adequate and led to delays in the submission of this contract.

Per the direction of HHS leadership, all OEC contracts, including this one, must now contain outcomes, in addition to deliverables and outputs. As this is a fundamental change in the way HHS contracts are structured, substantial negotiation was required with this vendor to come to agreement on the outcomes included. This introduced delays in the processing of this contract.

Per the direction of Risk Management, this contract included additional substantial cyberinsurance coverage requirements because this vendor maintains a data system that includes personal information on children and families served by this program. These insurance requirements were new for the vendor and incurred a substantial increase in cost. These requirements needed to be negotiated and the vendor needed to make provisions to come into compliance with these new requirements, including revising the budget to pay for these increases.

5. N/A

E. Funding

1. The project is funded 100% by Health and Human Services Levy
2. The schedule of payments is monthly.
3. N/A

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0040

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for Invest in Children for the period 1/1/2018 - 12/31/2019; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for Invest in Children for the period 1/1/2018 - 12/31/2019; and

WHEREAS, the primary goals of this project are to: (a) promote healthy social and emotional development of young children, (b) prevent and/or provide early intervention of mental health difficulties, and (c) provide treatment of mental health conditions among very young children in the context of their families; and

WHEREAS, the funding for this project is 100% from the Health and Human Services Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,339,104.00 for the Early Childhood Mental Health Program for Invest in Children for the period 1/1/2018 - 12/31/2019.

Journal _____
_____, 20__

Item No. 14

The Office of Early Childhood/Invest in Children requesting approval of a contract, with Alcohol, Drug Addiction and Mental Health Services Board for the anticipated cost of \$1,339,104.00. The anticipated start-completion dates are (01/01/2018- 12/31/2019).

The primary goals of the project are:

-) Children will show progress in their socioemotional development as measured by increases in their scores on the Devereux Early Childhood Assessment (DECA).
-) Children are diverted from additional treatment in the behavioral system as measured by the percent of cases that are closed with successful consultations and/or early interventions.

Procurement

The procurement method for this project was Exemption. The total value of the exemption is \$1,339,104.00

The (above procurement method) was closed on (date). (*When applicable*) There is an SBE or DBE participation/goal (list the % of both).

The proposed contract, received an exemption on TBD.

Contractor and Project Information

The address(es) of all vendors and/or contractors is (provide the full address in the following format):

Alcohol, Drug Addiction and Mental Health Services Board
2012 W. 25th Street
Cleveland, OH 44113
Council District 7

The executive director for the contractor/vendor is Valeria Harper
Alcohol, Drug Addiction and Mental Health Services Board
2012 W. 25th Street
Cleveland, OH 44113

The project is located in Council District – County Wide

Project Status and Planning

The project reoccurs annually

The project’s term has already begun or ended. The reason there was a delay in this request is:

This contract is being submitted late for a variety of unique and critical issues:

During the past month, the Office of Early Childhood moved from Courthouse Square to Quincy Place. The move was very disruptive of our operations and included not just the physical move but also a migration to the state computer/email network. The move delayed the normal processing of this contract AND delayed access to critical county systems such as FAMIS, BuySpeed on Onbase which were necessary to submit this contract.

The Office of Early Childhood has worked closely with the Law Department to revise and approve contract. Currently, there is only one attorney assigned to work with all of HHS; this is clearly not adequate and led to delays in the submission of this contract.

Per the direction of HHS leadership, all OEC contracts, including this one, must now contain outcomes, in addition to deliverables and outputs. As this is a fundamental change in the way HHS contracts are

structured, substantial negotiation was required with this vendor to come to agreement on the outcomes included. This introduced delays in the processing of this contract.

Per the direction of Risk Management, this contract included additional substantial cyberinsurance coverage requirements because this vendor maintains a data system that includes personal information on children and families served by this program. These insurance requirements were new for the vendor and incurred a substantial increase in cost. These requirements needed to be negotiated and the vendor needed to make provisions to come into compliance with these new requirements, including revising the budget to pay for these increases.

Funding

The project is funded 100% by Health and Human Services Levy
The schedule of payments is monthly.

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0010

Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management	A Resolution authorizing the use of a portion of the proceeds of the Cuyahoga County Sales Tax Revenue Bonds, Series 2014 (County Facilities Improvement), in an aggregate principal amount not-to-exceed \$24,000,000.00 for the purposes of paying certain costs of demolition of blighted and nuisance properties and making grants therefor; authorizing other actions related to the use of such proceeds; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County of Cuyahoga, Ohio (the “County”) has heretofore issued its \$137,980,000 Various Purpose Sales Tax Revenue Bonds (the “Series 2014 Bonds”), of which, pursuant to Resolution R2014-0255 (the “County Facilities Bond Resolution”), \$122,000,000 was issued for the purpose of paying or reimbursing the costs of constructing, maintaining, expanding, refurbishing, renovating, upgrading, improving, furnishing, and equipping certain County Facilities (as such term is defined in the County Facilities Bond Resolution), as well as for the purpose of paying capitalized interest on the Series 2014 Bonds and paying the costs of issuance in connection therewith; and

WHEREAS, the County has determined not to proceed at this time with the construction of the Emergency Operations Center project (the “Original County Emergency Operations Center Project”) or the Medical Examiner’s Building for the County Data Center project (the “Original County Data Center Project”, together with the Original County Emergency Operations Center Project, the “Original Projects”) both of which were included as part of the County Facilities to be financed with the Series 2014 Bonds; and

WHEREAS, the revised projects will be less costly than the Original Projects; and

WHEREAS, this Council has determined that a portion of the proceeds of the Series 2014 Bonds that would have been allocable to the Original Projects in the principal amount not to exceed \$24,000,000 (\$10 million from the Original County Emergency Operations Center Project and \$14 million from the Original County Data Center Project) should be used for the purpose of paying the costs of demolition

of blighted and nuisance properties and making grants to municipalities and community improvement corporations therefor, as described in Section 1 herein and in Cuyahoga County Code Chapter 807 (the “Demolition Project”); and

WHEREAS, this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council, and that all the deliberations of this Council, and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code; and

WHEREAS, the Fiscal Officer of this County has certified that the estimated life of the Demolition Project described in Section 1 hereof is at least five (5) years, and that the estimated maximum maturity of the portion of the Series 2014 Bonds allocable to the Demolition Project is at least thirty (30) years; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that the usual daily operation of the County be continued and the public peace, health or safety of the County be preserved.

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

SECTION 1. Additional Purpose for Series 2014 Bonds. It is necessary to use an amount not-to-exceed \$24,000,000 of the portion of the proceeds of the Series 2014 Bonds issued pursuant to the County Facilities Bond Resolution, which are a part of the issue of Series 2014 Bonds, that would have been allocable to the Original Projects for the purpose of paying the costs of demolition of blighted and nuisance properties and making grants to municipalities and community improvement corporations therefor, as described in Cuyahoga County Code Chapter 807 (the “Demolition Project”), and for the purpose of paying capitalized interest on the Series 2014 Bonds and paying the costs of issuance in connection therewith.

SECTION 2. Designation of Bonds. The portion of the Series 2014 Bonds allocable to the Demolition Project shall be redesignated “*Cuyahoga County Sales Tax Revenue Bonds, Series 2014 (Demolition Project)*”.

SECTION 3. Application of Bond Proceeds. The proceeds of sale of the Series 2014 Bonds have been allocated and deposited as provided in the Indenture (as defined in the County Facilities Bond Resolution); provided, however, that the Demolition Project shall be deemed to be a “Series 2014 Project” pursuant to the Indenture.

SECTION 4. Series 2014 Bonds are Special Obligations and Provisions for Levy and Collection of County Sales Tax. The Series 2014 Bonds are special obligations of the County, and the principal of and interest (and any premium) on the

Series 2014 Bonds are payable solely from the Pledged Revenues and the Pledged Funds (as such terms are defined in the County Facilities Bond Resolution), together with other available funds of the County, and such payment is secured by a pledge of and a lien on the Pledged Revenues and the Pledged Funds as provided by the Chapter 133 of the Revised Code, the County Facilities Bond Resolution and this Resolution.

As used herein, the following terms shall be defined as follows:

“*Act*” means Chapter 133, Ohio Revised Code, as enacted and amended from time to time.

“*Continuing County Sales Tax*” means the one percent (1%) County Sales Tax adopted July 6, 1987, by the Board of County Commissioners (the “Board”), as the predecessor legislative authority to the Council, authorizing the levy and County collection of sales and use taxes for the purpose of providing additional general revenues for the County on a continuous basis.

“*County Executive*” means the County Executive of the County; provided, for purposes of the signing of documents, certificates and other instruments other than the Bonds and the Official Statement, County Executive includes the County Executive’s Chief of Staff as the County Executive’s designee pursuant to Executive Order No. EO2015-0001 and any other person duly designated by the County Executive.

“*County Sales Tax*” means the one and one-quarter percent (1.25%) County Sales Tax authorized under Sections 5739.021 and 5741.021 of the Ohio Revised Code pursuant to the County Sales Tax Resolutions.

“*County Sales Tax Resolutions*” means (i) the resolution authorizing the Continuing County Sales Tax, (ii) the resolution adopted by the Board on July 26, 2007, authorizing an increase in the County sales and use taxes to a rate of one and one-quarter percent (1.25%); and (iii) any renewals or extensions thereof, for the purpose of providing additional general revenues for the County.

“*County Sales Tax Bond Fund*” means the County Sales Tax Bond Fund created by the Indenture.

“*County Sales Tax Receipts*” means the monies received by the County from the County Sales Tax.

“*County Sales Tax Revenue Fund*” means the County Sales Tax Revenue Fund created by the Indenture.

“*Fiscal Officer*” means the Fiscal Officer of the County, including an interim or acting Fiscal Officer.

The County has heretofore levied and covenants that it shall continue to collect the

County Sales Tax for so long as the Series 2014 Bonds are outstanding. The County hereby covenants and agrees that, so long as the Series 2014 Bonds are outstanding, it shall not suffer the repeal, amendment or any other change in this Resolution or the County Sales Tax Resolutions that in any way materially and adversely affects or impairs (a) the sufficiency of the County Sales Tax Receipts levied and collected or otherwise available for the payment of the Series 2014 Bonds or (b) the pledge or the application of the County Sales Tax Receipts to the payment of the Series 2014 Bonds.

The Series 2014 Bonds do not constitute a general obligation debt, or a pledge of the full faith and credit, of the State, the County, or any other political subdivision of the State, and the holders or owners of the Series 2014 Bonds have no right to have taxes levied by the general assembly or property taxes levied by the taxing authority of any political subdivision of the State, including the taxing authority of the County, for the payment of principal of and interest (and any premium) on the Series 2014 Bonds. Nothing herein shall be construed as requiring the County to use or apply to the payment of principal of and interest (and any premium) on the Series 2014 Bonds any funds or revenues from any source other than County Sales Tax Receipts. Nothing herein, however, shall be deemed to prohibit the County, of its own volition, from using, to the extent that it is authorized by law to do so, any other resources for the fulfillment of any of the terms, conditions or obligations of this Resolution or of the Series 2014 Bonds.

SECTION 5. Federal Tax Considerations. The County has covenanted and hereby covenants that it will use, and will restrict the use and investment of, the proceeds of the Series 2014 Bonds, including the proceeds of the Series 2014 Bonds used for the Demolition Projects, in such manner and to such extent as may be necessary so that (a) the Series 2014 Bonds will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the “Code”) or (ii) be treated other than as bonds to which Section 103(a) of the Code applies, and (b) the interest on the Series 2014 Bonds will not be treated as an item of tax preference under Section 57 of the Code.

The County further has covenanted and hereby covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Series 2014 Bonds to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Series 2014 Bonds to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The County Executive, the Fiscal Officer or any other officer of the County having responsibility for issuance of the Series 2014 Bonds and the use of the proceeds of such Series 2014 Bonds for the purposes therein provided, is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval, or waiver on behalf of the County with respect to the Series 2014 Bonds as the County is permitted to or required to make or give under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Series 2014 Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, and (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Series 2014 Bonds.

SECTION 6. Certification and Delivery of Resolution. The Clerk of this Council is directed to deliver or cause to be delivered a certified copy of this Resolution to the Fiscal Officer.

SECTION 7. Captions and Headings. The captions and headings in this Resolution are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Resolution unless otherwise indicated.

SECTION 8. Effective Date. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health or safety of the County; and any additional reasons set forth in the preamble. Provided that this Resolution receive the affirmative vote of at least eight members of the Council, it shall take effect and be in force immediately upon the earliest to occur of any of the following: (a) its approval by the County Executive through signature, (b) 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, and (c) 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 9. Compliance with Open Meeting Requirements. This Council finds and determines 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 those formal actions were held, in meetings open to the public in compliance with the law, 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: January 9, 2018

Committee(s) Assigned: Finance & Budgeting

Committee Report/Second Reading: February 13, 2018

Journal _____
_____, 2018

County Council of Cuyahoga County, Ohio

Resolution No. R2017-0180

Sponsored by: County Executive FitzGerald/Department of Public Works	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 2/13/2018 - 12/31/2033 to add steam and chilled water services for the Virgil E. Brown Building, located at 1641 Payne Avenue, Cleveland, effective 2/13/2018; 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 2/13/2018 - 12/31/2033 to add steam and chilled water services for the Virgil E. Brown Building, located at 1641 Payne Avenue, Cleveland, effective 2/13/2018; 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 2/13/2018 - 12/31/2033 to add steam and chilled water services for the Virgil E. Brown Building, located at 1641 Payne Avenue, Cleveland, effective 2/13/2018.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: October 10, 2017
Committee(s) Assigned: Public Works, Procurement & Contracting

Legislation Amended in Committee: January 31, 2018

Journal CC029
February 13, 2018

County Council of Cuyahoga County, Ohio

Resolution No. R2018-0019

Sponsored by: County Executive Budish/Department of Public Works	A Resolution making an award on RQ41056 to Terik Roofing, Inc. in the amount not-to-exceed \$3,068,857.00 for the Virgil E. Brown Building Roof Replacement Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, the County Executive/Department of Public Works has recommended an award on RQ41056 to Terik Roofing, Inc. in the amount not-to-exceed \$3,068,857.00 for the Virgil E. Brown Building Roof Replacement Project; and

WHEREAS, the primary goal of this project is to complete the project as per plans and specifications; and

WHEREAS, the anticipated start-completion dates are 2/1/2018 – 10/28/2018; and

WHEREAS, the funding for this project is Capital Improvement Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ41056 to Terik Roofing, Inc. in the amount not-to-exceed \$3,068,857.00 for the Virgil E. Brown Building Roof Replacement Project.

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

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health,

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: January 23, 2018

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

Journal CC029

February 13, 2018

County Council of Cuyahoga County, Ohio

Ordinance No. O2018-0001

Sponsored by: County Executive Budish/Department of Human Resources	An Ordinance providing for modifications to and adoption of the Cuyahoga County Human Resources Personnel Policies and Procedures Manual to be applicable to all County employees, and declaring the necessity that this Ordinance become immediately effective.
--	---

WHEREAS, the County Executive/Department of Human Resources has recommended to amend the Human Resources Personnel Policies and Procedures Manual; 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. Adoption of Revised Human Resources Personnel Policies and Procedures Manual: Council hereby adopts the amended version of the County's Human Resources Personnel Policies and Procedures Manual as effective for all County employees, and shall remain in full force and effect and shall be followed by County employees under the authority of the County Council and the County Executive. The Department of Human Resources shall disseminate the amended manual to all employees subject to the manual in accordance with the Department's usual method of dissemination.

SECTION 2. All prior employment actions are hereby approved including, but not limited to, payments to employees for work done in excess of forty hours per week.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

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1 INTRODUCTION

1.01 Message from the County Executive

[INSERT TEXT HERE]

1.02 Profile of the County

[INSERT HERE]

1.03 Mission, Vision and Core Values

Mission

To drive regional growth, economic opportunity, and individual well-being by mobilizing cross-sector resources and providing superior services.

Vision

We are a vibrant and prosperous region where everyone thrives, and all things are possible.

Core Values

Integrity

Provide reliable and accurate services to all customers, as part of an honest, open and equitable culture.

Courage

Act boldly and be willing to make change while using good judgment to do the right thing for all citizens of Cuyahoga County

Teamwork

Create and strengthen internal and external partnerships to best accomplish our goals through collaborative actions

Innovation

Invest in people and their creative ideas and challenge the status quo to positively impact the prosperity and sustainability of our region

Results

Define and be accountable for meeting expectations, inspire accomplishment and achieve measurable successes

2 PURPOSE OF EMPLOYEE HANDBOOK

This handbook is intended as a reference to the guidelines and resources employees need to know in their role at Cuyahoga County. Employees are expected to know the guidelines contained in this handbook, as well as any additional guidelines set by their department.

All matters relating to the administration of the procedural guidelines in this handbook are under the general supervision of the Director of Human Resources. Questions regarding interpretation and application of this Handbook should be directed to Human Resources.

Bargaining employees are expected to know the terms of their Collective Bargaining Agreement (CBA). The terms and conditions of that agreement supersede this handbook on any subject covered by the CBA.

The procedural guidelines covered in this handbook do not diminish the County's management rights and should not be considered a waiver of these rights. Unless restricted by law, the County reserves all rights to manage its workforce. The procedural guidelines contained in this handbook do not reflect or represent every conceivable situation but addresses those that are often encountered. Situations may differ and will be handled on a case-by-case basis, at the discretion of the County as permitted by applicable law.

The procedural guidelines outlined in this handbook will be applied at the discretion of the County in accordance with the law. The County reserves the right to change, for any reason, at any time and without prior notice, the procedures, benefits, and working conditions described in this handbook to the extent permitted by law. The latest version of this handbook will be available on the Human Resources website. Every effort will be made to notify employees when an official change in the procedural guideline has been made. Upon said notification it is the responsibility of the employee to review and familiarize themselves with any changes.

Any provision requested to be waived in this handbook must first be approved by the County Executive, or designee. There will not be any provisions waived without permission from the County Executive, or designee.

Any violations of the procedural guidelines outlined herein are subject to discipline up to and including removal.

3 EQUAL OPPORTUNITY & COMMITMENT TO DIVERSITY

3.01 Commitment to Diversity & Inclusion

The County is committed to fostering a diverse and inclusive workforce, which includes building an environment that respects the individual, promotes innovation and offers opportunities for all employees to develop to their full potential.

A diverse workforce helps the County realize its full potential. The County benefits from creativity and innovation that results when people who have different experiences, perspectives, and cultural backgrounds work together.

3.02 Equal Employment Opportunity

The County is committed to providing equal employment opportunities for all individuals regardless of race, color, ancestry, national origin, language, religion, citizenship status, sex, age, marital status, sexual preference or orientation, gender identity/expression, military/veteran status, disability, genetic information, membership in a collective bargaining unit, status with regard to public assistance, political affiliation, or on the basis of association with an individual that falls into a protected category.

Equal opportunity extends to all aspects of the employment relationship, including but not limited to hiring, transfers, promotions, training, terminations, working conditions, compensation, benefits, and other terms and conditions of employment.

3.03 Accommodations for Religious Beliefs

The County respects the religious beliefs and practices of all employees and, upon written request, will make accommodations that are reasonable (accommodations that do not create an undue hardship on the County's business operations), as required by law.

Requesting a Religious Accommodation

Employees who seek a religious accommodation must submit a written request for the accommodation to Human Resources. The written request should include the type of religious conflict that exists and the requested accommodation. Human Resources will respond to the employee's request within a reasonable time.

3.04 Americans with Disabilities Act

The County is committed to complying with the Americans with Disabilities Act (ADA) and its amendments and ensuring equal opportunity in employment for qualified persons with disabilities. The ADA and its amendments make it unlawful for an employer to discriminate against qualified applicants or employees with a disability.

The County will accommodate qualified applicants or employees with disabilities to enable them to perform the essential job duties, unless such accommodation(s) would impose an undue hardship on the operation of the County.

This policy is neither exhaustive nor exclusive. The County is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

Definitions

Qualified employees and applicants with disabilities are employees or applicants with disabilities who can perform the essential functions of the position they are pursuing or currently hold with or without reasonable accommodation.

Employees and applicants with disabilities are persons whose impairments substantially limit one (1) or more of their major life activities (e.g., walking or hearing), who have a history of such impairments, or who are regarded as having such impairments.

Reasonable accommodations are modifications to work environment or schedule that allow applicants or employees to perform the essential functions of the position they pursue or currently hold, that do not create an undue hardship for the County.

Requesting an Accommodation

An employee with a disability in need of an accommodation must complete an *accommodation request form*. The accommodation request form includes a section for medical documentation from the employee's healthcare provider. The accommodation request form is available online, or a paper copy can be requested from Human Resources.

Upon submission of medical documentation presenting a disability, the County will engage with the employee and their healthcare provider to identify reasonable accommodations for the employee.

Medical information obtained by the County regarding applicants or employees is maintained in a separate file and disclosed only in accordance with the ADA and its amendments, as well as applicable federal and Ohio laws. The County may be required to release this information under Ohio Public Records laws or subpoenas.

3.05 Reporting Harassment, Discrimination, or Retaliation

Employees who believe they are the victim of harassment, discrimination or retaliation must immediately report the issue to Human Resources. An employee can also report their concern to their supervisor or department director. Any supervisor or department director made aware of an employee concern regarding harassment, discrimination or retaliation must immediately contact Human Resources.

Employees who are aware of or witness potential harassment, discrimination or retaliation must report such conduct immediately. Supervisors and department directors must immediately report any potential instances of harassment, discrimination or retaliation involving employees or others to Human Resources.

Investigation

The County will investigate all reported concerns. An investigation may include conducting interviews, obtaining written statements, and reviewing records. The County will complete investigations in a prompt manner. The length of the investigation will vary based on the circumstances involved.

After obtaining and reviewing all available information, the County will determine if any employee violated any County policy. The employee who made the report and the accused employee(s) will be notified in writing of this determination.

If the County finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer.

Confidentiality of Reports

The County will maintain the confidentiality of all investigations, to the extent possible and allowable under applicable Ohio law and may share information on a need-to-know basis. The County will advise all concerned parties to keep information relating to the investigation confidential. Employees should be aware that information obtained during an investigation may be released to comply with a subpoena, public records request, or other disclosure required by law.

Unauthorized disclosure of facts or opinions and/or spreading of information about a report, its participants, investigation or resolution, whether accurate or not, is prohibited and may subject an employee to disciplinary action.

False Allegations

Employees are prohibited from making a report the employee knows is not true. If an investigation reveals that an employee knowingly made a false allegation, the employee may be subject to disciplinary action.

3.06 Prohibited Retaliation

The County strictly prohibits retaliation against any individual who:

- Reports discrimination or harassment
- Cooperates with an investigation of reported discrimination or harassment
- Complains about discrimination or harassment
- Threatens to report discrimination or harassment
- Refuses to obey a directive the employee reasonably believes to be discriminatory
- Pickets in opposition to discrimination
- Requests a reasonable accommodation based on a religion or disability

Retaliation includes, but is not limited to:

- Any negative employment action, such as termination, refuse to hire, or denial or promotion
- Other actions impacting employment such as threats, unjustified negative evaluations, unjustified negative references or increased surveillance
- Any other action, such as assault or unfounded civil or criminal charges likely to deter a reasonable person from pursuing their rights

Any individual who experiences prohibited retaliation should immediately report the issue using the procedures outlined in section 3.05.

4 ETHICS AND SUNSHINE LAWS

4.01 Code of Ethics

All employees are required to demonstrate a high standard of ethical conduct. New employees are required to complete ethics training within the first thirty (30) days of their employment. All employees are required to complete ethics training annually. The County has an Ethics Code, which applies to all employees under the County Executive and is administered by the Agency of the Inspector General. The Ethics Code can be found in Title 4 of the County Code.

4.02 Sunshine Laws and Records

Ohio's Public Records and Open Meetings laws, collectively known as the "Sunshine Laws," give Ohioans access to government meetings and records. The County has also adopted, by ordinance, a public records policy. Employees should be aware that their work may be open to public inspection, and that their work must be preserved for public inspection, consistent with state law and the County Code. In many cases, this includes emails an employee sends and receives.

Each department has a public records policy and a public records manager. Departments also have records retention schedules, which list what records the department keeps, and for how long. Employees must comply with the law and their department's policies regarding records. Employees should consult with their supervisor or public records manager for assistance.

Privacy Expectations

Employees do not have a right, nor should they have an expectation, of privacy while using any County electronic equipment. Records created by an employee when using County electronic equipment (including emails, Internet usage history, etc.) may be released to the public, consistent with state law.

5 TALENT MANAGEMENT

5.01 Filling of Job Vacancies

The County encourages employees to apply for new and vacant positions as they become available. The County is committed to fairly evaluating its employees' qualifications against external candidates' qualifications and selecting the best qualified candidate for the position. The County considers interested applicants' qualifications, abilities, quality of past work performance, discipline, attendance and all other relevant factors. Job vacancies are typically filled as a new hire, promotion, lateral transfer, demotion or a temporary work level (TWL) assignment. In each, the employee must meet the minimum requirements of the job.

- A **new hire** is when a job candidate who does not currently work at the County is hired to fill a vacant, or soon to be vacant position.
- A **promotion** is when an employee moves from one classification or job to another classification or job in a higher pay grade.
- A **lateral transfer** is when an employee moves from one classification or job to another classification or job in the same pay grade.
- A **demotion** is when an employee moves from one classification or job to another classification or job in a lower pay grade.
- A **temporary working level** (TWL) is when an employee is temporarily assigned duties of a position with a higher pay grade for a minimum of a two (2) week period, but not to exceed one (1) year. TWLs are described in section 9.05.

Job Announcement Postings

Job announcements are posted on the Human Resources website and may also be posted on designated bulletin boards throughout the County. They may also be posted on other organizational and recruiting websites, and/or sent to various external recruitment agencies, advertised in newspapers or other media when applicable. These announcements summarize minimum qualifications, and key job duties of the position being filled, but may not be all inclusive. Announcements will also include information about any required civil service testing.

Application Process

Non-employees apply for posted vacancies through the Human Resources website. The website allows applicants to view current vacancies, create a profile and apply for one or more vacancies.

Current employees can apply for posted vacancies through the Human Resources website. Certain posted vacancies are for current employees only. Any restriction on who can apply will be noted on the posting. Vacancies that are for current employees of a specific department only will not be posted on the Human Resources website. Employees who are eligible to apply for these vacancies will be notified directly by email or other means.

Vacancies for positions covered under a CBA will follow the application process outlined in the CBA.

Selection Process

Classified Positions

The PRC screens applicants for minimum qualifications, conducts civil service examinations, and certifies an eligibility list to the hiring manager. For internal promotions, Human Resources may conduct a screening process and determine candidates to interview without requesting an eligibility list from the PRC.

Human Resources may conduct additional screenings, which may include, but are not limited to, physical agility assessments, criminal record checks, driving record checks, background checks, past work record reviews, job knowledge assessments/tests, job performance prediction assessments, etc.

The hiring manager, along with an interview panel, interviews selected applicants from the eligibility list. The department identifies the preferred candidate to Human Resources, which makes a recommendation to the County Executive. Once approved, Human Resources extends a job offer to the candidate.

Unclassified Positions

Human Resources screens resumes and applications for minimum qualifications and refers qualified applicants' information to the hiring manager.

Human Resources may conduct additional screenings, which could include physical agility assessments, criminal record checks, driving record checks, background checks, past work record reviews, job knowledge assessments/tests, job performance prediction assessments, etc.

The hiring manager, along with an interview panel, interviews selected qualified candidates. The department identifies the preferred candidate to Human Resources, which makes a recommendation to the County Executive. Once approved, Human Resources extends a job offer to the candidate.

Certain unclassified positions are appointed directly by elected officials (e.g., the County Executive and County Council), and these positions may be filled through a separate process managed by the elected official, in consultation with Human Resources.

5.02 Background Checks

The County conducts appropriate background checks on applicants who have received a conditional offer of employment, employees, trainees, paid and unpaid interns/co-ops/fellows, volunteers, and appropriate non-employees performing work on County premises or otherwise on behalf of the County as permitted or required by law.

The County may perform the following background checks, in compliance with relevant laws, including but not limited to:

- Personal Background
- Criminal Background
- Financial Background
- Work History Background
- Educational History Background
- Other Backgrounds as required

Pursuant to County Code, the County does not ask applicants about their criminal background as part of the application process, except as permitted by law. The County may ask applicants who have received a conditional offer of employment about their criminal background. When evaluating an applicant or employee with criminal convictions, the County will consider the nature of the offense, the length of time since conviction, the relationship between the conviction and the duties and responsibilities of the position, and any positive changes demonstrated since the conviction.

5.03 Newly Hired Employees

Onboarding

The County provides an onboarding process, facilitated by Human Resources, to prepare newly hired individuals to succeed as County employees. All new employees will receive onboarding during their first year of employment. This will assist new employees in learning about the County and understanding the County's core values, mission, vision and goals.

During the onboarding process, new employees will submit all new-hire paperwork and receive relevant information that will assist them in making a smooth and effective transition to the County.

As part of the onboarding process, Human Resources provides a new hire orientation to new employees. New hire orientation is typically completed within the first thirty (30) days of employment.

Identification Badge

Upon hire, employees receive an identification badge from the County at no cost. Employees are required to visibly wear their identification badges while on County property, and/or while performing County business. Employees must notify their supervisor immediately if their identification badge is lost, stolen, damaged or stops working. The employee or supervisor can submit a *request for ID badge replacement form* to ID Card Services to have a new identification badge issued. The request for ID badge replacement form is available from ID Card Services.

Employees may be charged a replacement fee if their badge is lost, stolen, damaged, or stops working. The County may waive the replacement fee for inoperable identification badges. The County may collect and issue, at no cost, a new identification badge to an employee who transfers departments.

Employees must return to their identification badge to their supervisor or Human Resources upon end of employment.

Orientation Period (Probation)

The employee orientation period is a time devoted to the development and evaluation of the employee in their new position with the County. All full-time and part-time employees that are newly hired, transferred, promoted or demoted shall be subject to an initial orientation period of one hundred eighty (180) calendar days, beginning the first day of their assignment.

No appointment is final until the employee satisfactorily completes their orientation period. An employee may be removed or displaced at any time for failure to successfully complete their orientation period or for any other lawful reason. The removal or displacement of an employee in their orientation period is not subject to appeal. The Director of Human Resources may extend an employee's orientation period to allow additional time to review the employee's performance, up to a maximum of one (1) year. Neither days spent on any unpaid leave of absence, nor days spent on a paid leave of absence for more than five (5) consecutive working days will be counted towards the orientation period. Probationary periods and related requirements for bargaining employees are set forth in each applicable CBA.

6 GENERAL EMPLOYMENT PRACTICES

County employees are expected to perform their jobs and to conduct themselves in a professional manner in a way that advances the goals of the County and boosts public confidence in County government. County employees must exercise the required care for the safety and security of persons and property. County employees must refrain from any behavior which might be harmful to the County's interests, or conflict with County policy. For this reason, the County is committed to selecting individuals for employment who are committed to achieving and supporting the goals and objectives of the County.

It is the desire of County government that all employees have a successful and rewarding tenure and maximize their potential both personally and professionally. Identifying strengths and areas of needed improvement help to prepare employees for promotional opportunities.

6.01 Employment Status

The employment status of County employees includes full-time regular, part-time benefits eligible, part-time non-benefits eligible, and temporary. As defined in the Fair Labor Standards Act (FLSA), employees are overtime non-exempt or exempt. Per the Ohio Revised Code, non-bargaining County employees are also designated as classified in the civil service or unclassified. For the purposes of this handbook, elected County officials are not considered employees of the County.

Full-Time

Full-time employment is defined as scheduled to work a yearly average number of hours greater than or equal to forty (40) per workweek. Full-time employment is generally based on a pre-arranged schedule and full-time status is indicated during an initial job offer or change in employment status. Full-time employees are eligible for benefits (see section 10).

Part-Time Benefits-Eligible

Part-time benefits-eligible employment is defined as scheduled to work a yearly average number of hours less than forty (40) per workweek and up to and including thirty-nine (39) per work week but not less than thirty (30) hours per workweek. Part-time benefit-eligible employees are eligible for certain benefits (see section 10).

Part-Time Not Benefits-Eligible

Part-time employment that is not benefits-eligible is defined as working a yearly average number of hours fewer than thirty (30) hours per workweek and are not eligible for benefits.

Temporary Employment

Temporary employment is defined as employment for a specified project or time frame, not to exceed one hundred eighty (180) continuous days. Temporary employment may be designated as part-time or full-time. Temporary employees are not eligible for benefits.

Exempt or Non-Exempt

The Fair Labor Standards Act (FLSA) and its amendments provide rules to determine whether a position is designated as exempt or non-exempt. Non-exempt employees may receive overtime pay or compensatory time off calculated at time and one-half (1.5) their regular rates for hours worked more than forty (40) in a workweek (see section 9.06). Exempt employees do not receive overtime pay (i.e., time and one-half) but may, in extraordinary circumstances, receive exchange time or straight pay for hours worked more than forty (40) in a workweek (see section 9.07)

Classified or Unclassified

Classified positions are subject to the civil service provisions of the Ohio Revised Code, the Ohio Administrative Code, the County Charter and the County Code. Classified employees may file appeals with the Personnel Review Commission (PRC) if they feel their civil service protections have been violated.

Unclassified positions are exempt from civil service examination and are not subject to civil service protections. Unclassified employees are at will employees and serve at the pleasure of the County.

Bargaining or Non-bargaining

A position is considered bargaining if it is covered under a CBA. Non-bargaining positions are not covered under a CBA. The terms and conditions of a CBA supersede this handbook on any subject covered by the CBA.

6.02 Job Descriptions

Classified Positions

The PRC maintains the County's class plan. Each classified position has a classification specification that describes the classification's function, distinguishing characteristics, essential job functions, and minimum requirements. All classification plan change requests must be made to the PRC by completing a *non-bargaining classification plan revision request form*, found in the PRC's website. Departments are responsible for communicating any proposed job function changes, in advance of any change to employees' duties, to the PRC.

Classification specifications are located on the PRC's website, and can be requested from Human Resources or the PRC.

Unclassified Positions

Human Resources maintains job descriptions for unclassified positions. Job descriptions consist of essential job functions, including job duties, responsibilities and requirements. Job descriptions will be updated when substantial changes are made.

Departments are responsible for communicating any proposed job description changes for unclassified positions, in advance, to Human Resources. Human Resources will work with the supervisor and others to ensure suggested changes are appropriately incorporated.

Employees who believe their job has significantly changed should notify their supervisor and Human Resources for a position audit (see section 6.03).

Unclassified job descriptions can be requested from Human Resources.

6.03 Position Audit

A position audit is a formal process for classified employees. An employee who believes their position is incorrectly classified can request a position audit. Human Resources will request information from the employee, the employee's supervisor and the department director regarding the employee's current duties and responsibilities to determine if the employee's position is appropriately classified. After reviewing all available information, Human Resources will determine whether the employee's position is properly classified. An employee who disagrees with Human Resources' determination can appeal to the PRC.

Position audits are fully described in Section 303.01 of the County Code. Employees who wish to request a position audit should contact Human Resources.

6.04 Direct Deposit of Pay and Payroll Deductions

Employees are paid bi-weekly and must participate in the County's Direct Deposit program. A *direct deposit form* must be completed as part of the employee's new hire paperwork or when the employee experiences any changes to their applicable financial account. Employees are responsible for notifying Human Resources if their direct deposit bank(s) and/or account(s) change. Any questions regarding direct deposit or deductions should be directed to Human Resources.

Human Resources publishes an annual payroll calendar that notes each pay day. The payroll calendar is available online or by contacting Human Resources.

Various payroll deductions will be taken out of each employee paycheck. These deductions fall into two (2) categories, mandatory and voluntary.

- **Mandatory Deductions.** Mandatory payroll deductions are mandated by statute. They include federal, state, city and school district taxes, OPERS contributions, support orders, union dues/fair share fees, Medicare, tax levies, bankruptcy, garnishments and other applicable obligations.
- **Voluntary Deductions.** Voluntary payroll deductions are authorized by the employee. These include health, accident, charitable contributions, disability and life insurance, retirement plans, flexible spending accounts, credit union deductions, parking and transit costs and union dues.

Deductions can be pre-tax or post-tax depending on the nature of the deduction.

6.05 Timekeeping

The County must comply with applicable laws that require records to be maintained of the hours worked by employees. To ensure that accurate records are kept of an employee's work hours and that employees are paid in a timely manner, employees and their supervisor are required to maintain accurate time and attendance records. Attendance or use of leave should be recorded daily for non-exempt personnel or within the actual pay period for exempt employees.

Time entry for non-exempt employees must be completed daily and accurately by employees. After reviewing and resolving any discrepancies, the supervisor (or department designee) must approve the number of hours worked or on leave in the County's timekeeping system.

Time entry for exempt employees must be completed within the actual pay period. After reviewing and resolving any discrepancies, supervisors (or department designee) must approve the number of hours to be paid for time worked or on approved paid or unpaid leave in the County's timekeeping system.

Senior level employees designed by the Director of Human Resources (including department directors), may attest to working a full payroll period, based on eighty (80) hours instead of logging their daily time hour-for-hour. Those who do not work eighty (80) hours in a pay period must record usage of paid leave. Employees who opt for this timekeeping method are not eligible to accrue exchange time, but can retain and use granted exchange time (see section 9.03).

All employees are expected to provide accurate information regarding time and attendance. Falsification is an act of misconduct and considered a violation of the County's policy and procedural guideline and may be subject to disciplinary action.

6.06 Standard Workweek and Hours

The normal workweek for full-time County employees is five (5) days per week, usually Monday through Friday. The normal workday is from 8:30 a.m. to 4:30 p.m. The normal workweek and hours of work may vary based on operational needs, and/or in the case of 7-day/24-hour-a-day operations or in situations covered by a CBA.

Lunch and Breaks

Employees shall be allowed a one (1) hour paid lunch period. To qualify for the paid lunch period, employees must work a minimum of five and one half (5.5) hours inclusive of the lunch period. In addition, County employees may receive two paid breaks of up to fifteen (15) minutes in duration. All breaks and lunch periods are to be scheduled by the employee's immediate supervisor based on the operational needs of their unit and in accordance with the following provisions:

- one break may be taken in the first half of the work day and one may be taken in the second half of the work day
- breaks shall not abut the end or beginning of the lunch period
- breaks and lunch periods cannot be used to make-up tardiness or quitting early. For example, an employee who is scheduled to end their day at 4:30 may not leave for the day at 3:30 p.m. and take their lunch from 3:30 to 4:30 p.m.
- an employee must return to work after a lunch period for that period to be considered a lunch period. For example, an employee may not take their lunch period from 12 p.m. to 1 p.m. and then take sick leave from 1 p.m. until the end of the day. The employee will be required to use their own leave time to cover the period from 12 p.m. to 1 p.m. If, however, the employee only used sick leave from 1 p.m. until 2 p.m. and returned to work for the remainder of the day, the 12 p.m. to 1 p.m. period would be considered a proper lunch period.

6.07 Flexible Work Schedules

To meet challenges and provide options for work-life balance, a department director may grant flexible work schedules. These variations must allow for operational needs to be met, may not alter the total number of hours worked in a workweek and must be approved by the employee's supervisor and department director. The County recognizes three (3) types of flexible work schedules:

- **Alternative Start/End Time.** A department director may grant an alternative start/end time that enables employees to start earlier or later than the designated start time, then work an eight (8) hour workday.
- **Daily Flexible Schedule.** A department director may grant a daily flexible schedule that enables employees to come to work early and go home early, arrive to work late and stay late, or take extra time at lunch that is made up by arriving to work early or staying late. Employees who work daily flexible schedules are required to work within their agency/department's core operational hours.
- **Compressed Work Week.** A compressed work week enables employees to work a four (4) day work week, ten (10) hours each day.

Employees wishing to work flexible work schedules must make their request to their supervisor. Supervisors must complete an operational analysis to determine the feasibility of the request and meet with Human Resources before final approval.

Employees who work a flexible schedule greater than eight (8) hours per day will receive a maximum of eight (8) hours of pay for each recognized holiday. If the holiday falls on a regularly scheduled workday, employees may, at the discretion of the supervisor, make up the additional time or use vacation time to account for the difference in hours.

If the recognized holiday does not fall on a regularly scheduled workday, eligible employees who work a flexible schedule, will be given eight (8) hours of time off at their normal rate of pay.

A floating holiday example would include: employees who work a Tuesday–Saturday schedule, missing a Monday holiday; therefore, employees may take an approved floating holiday.

Working a flexible work schedule is a privilege, not an employee right. Flexible work schedules are not appropriate for all job situations. A flexible work schedule can be rescinded with at least five (5) business days' notice to the employee.

6.08 Voluntary Reduced Work Schedules

Management, in consultation with Human Resources, may authorize or revoke authority for employees to participate in a voluntary reduced work schedule. Eligibility for benefits could be affected. Exempt employees who participate in a voluntary work reduction program shall not be eligible to accumulate exchange time.

6.09 Telecommuting

For some positions within the County, working away from the office, or telecommuting, may be permitted. No one position shall be designated as a "telecommuting position." Rather, certain positions may from time to time be suitable for employees working away from the office, and in such a case, management may allow all or part of the duties of the position to be performed away from the office on a temporary basis, up to three months, with the possibility of re-approval. However, no such arrangement is promised or guaranteed, and the duration of telecommuting is subject to change and/or revocation at the discretion of the department director, consistent with applicable law. Telecommuting is an option that may be available when it does not conflict with the operational needs of the County and there is a legitimate business reason to permit it. If telecommuting is allowed for a position, it will last only when it is appropriate for both the employee and County. Each department director, in consultation with Human Resources, shall have the discretion to determine whether department employees may be permitted to telecommute.

All County policies, procedural guidelines, rules and practices shall apply at the telecommuting site, including, but not limited to, policies on confidentiality, communications with the public, employee rights and responsibilities, facilities and equipment management, financial management, information resource management, purchasing of property and services, safety, etc. Failure to follow County policies, procedural guidelines or rules may result in termination of the telecommuting arrangement and/or disciplinary action. Management staff shall be accountable to ensure that employees permitted to telecommute are complying with policies, guidelines, etc., and are meeting performance expectations.

This procedural guideline applies to work outside of the office for one or more days a week on a routine basis. This procedural guideline does not apply to temporary or occasional work arrangements such as dependent care, inclement weather, recovery from an illness, caring for an ill family member, or infrequent and irregular instances where an employee is assigned to work at home.

Telecommuting enables employees to work at a place other than their traditional workplace on specified day(s). The telecommuting location may be the employee's home or another suitable location. Employees may use telephones and, in many instances computers, to communicate effectively.

Eligibility

Non-union employees in managerial level positions, who have completed their orientation period and normally work an established workday are eligible to apply for telecommuting opportunities. An employee's work must be of a nature wherein face-to-face interaction is minimal or may be scheduled to permit telecommuting.

To be eligible for consideration of a telecommuting opportunity, management will consider the employees disciplinary record, productivity, and job performance in addition to the following:

- must have no record of disciplinary suspension within the preceding two (2) years
- must have the ability to effectively work independently
- must have the ability to establish and follow clear objectives
- must match operational needs and promote efficient operations

Employees will be selected based on the suitability of their jobs, an evaluation of the likelihood of the employee being a successful telecommuter, and an evaluation of their supervisor's ability to manage remote workers. Each department will make its own determinations, with guidance from Human Resources. The Director of Human Resources has the authority to revoke an authorization to telecommute with three (3) days' notice to the employee, consistent with applicable law.

Telecommuting may not be suitable for all employees. The need for the telecommuting employee to require specialized material or equipment must either be minimal or flexible and or consistent with guidelines on reasonable accommodation.

Both the employee and supervisor will be expected to complete a training course designed to prepare them for how to manage the telecommuting work schedule. All telecommuters must sign a *Telecommuting Agreement*.

Job Responsibilities While Telecommuting

Employees job responsibilities will not change due to telecommuting. Professionalism in terms of job responsibilities, work output, and customer orientation will continue to follow the standards set by the County. The amount of time an employee is expected to work will not change due to telecommuting. Employees work hours will be discussed and approved by the employee's supervisor. If business conditions require the telecommuting employee's presence at the employee's regular work location, or in a meeting, or other event, the employee is expected to report to the appropriate work location.

General Guidelines

Employees interested in telecommuting opportunities must obtain supervisors' approval in advance regarding work schedules, locations, and durations. In addition, employees participating in telecommuting opportunities are held to the same performance standards, including but not limited to quantity and quality of work, and must:

- be accessible to customers, colleagues, and supervisor during scheduled work hours
- participate in required scheduled meetings, by being physically present or through other means as determined by the employee's supervisor
- adhere to the County's policies and procedural guidelines regarding the use of the County's Electronic Calendar System
- adhere to the County's policies regarding the use of the electronic Time and Attendance System

Application & Agreement

Employees who desire to work at some place other than the primary workplace on specified days shall complete a *telecommuting application* form and submit it to their supervisor. The telecommuting application form is available online, or a paper copy can be requested from Human Resources.

Employees who are approved for telecommuting shall sign and abide by a *Telecommuting Agreement*. The agreement may require modification to fit individual telecommuting-site circumstances. A copy of the Agreement will be retained in the employee's personnel file.

6.10 Performance Management

The County strives to help employees understand the impact their contributions have on organizational goals and provide opportunities for professional growth. To achieve this goal, the County has established a performance management program that culminates in a performance review. The performance management process is ongoing as the County plans, manages, reviews, and recognizes good performance.

An effective performance management system is designed to:

- ensure employees have a clear understanding of work expectations
- provide ongoing feedback to employees regarding their performance relative to expectations
- identify development opportunities
- address performance that does not meet expectations

A comprehensive performance management system empowers employees to have greater input into their personal career progression and enables supervisors to better identify and recognize performance based upon a set of criteria.

The County's performance management process consists of a three-phase cycle: planning, managing and reviewing.

- **Planning Phase.** In this phase, individual goals and objectives are set for the performance period. SMART (specific, measurable, achievable, relevant, and time based) goals increase employee motivation and commitment to goal attainment, leading to greater performance and productivity.
- **Managing Phase.** In this phase, through formal and informal conversations, the parties discuss progress towards the successful completion of goals and expectations. Regular communication between the supervisor and employee is critical during this part of the performance management cycle. Discussion enables the supervisor to provide timely feedback and coaching as the year unfolds. It is important for supervisors and employees to keep track of key performance highlights and challenges that occur during the performance period. These notes will assist employees and supervisors during subsequent conversations and when it is time to prepare the performance review.
- **Reviewing Phase.** After the evaluation cycle, the supervisor meets with the employee to conduct a performance review. If SMART goals have been set (planning phase) and ongoing communication/feedback has taken place (managing phase), the overall outcome of the annual review should come as no surprise to the employee. The employee may provide written comments relevant to the performance review on the form within five (5) workdays after receiving it. The employee will acknowledge receipt of the performance review on the form. An employee's acknowledgement of receipt does not indicate agreement with its contents.

6.11 Corrective Action/Performance Improvement

The County has adopted a corrective action process to help employees understand that performance concerns or opportunities for improvement exist, to clarify management's expectations and to prevent a recurrence of unsatisfactory behavior and/or performance concerns.

Documented Counseling

Documented counseling involves a meeting between supervisor and employee, whereby the employee is informed of the inappropriate conduct and of any corrective action that may be necessary. The supervisor shall complete, sign, and date a documented counseling form. The supervisor shall indicate on the form the date when the employee received the form. The supervisor shall retain the original and the employee shall receive a copy of the form.

Performance Improvement Plan

It is the County's desire that each employee performs at an optimal level. If performance is below an acceptable level, the supervisor may decide that a Performance Improvement Plan (PIP) is necessary. The supervisor will document a description of the performance problem, corrective action to be taken by the employee and how the employee's performance will be measured, along with target dates for improvement. The supervisor shall consult with Human Resources on the development of a PIP.

The supervisor will meet with the employee to implement the PIP. If the employee's performance continues to fall below expectations, the County may choose to modify the PIP, conduct a Pre-Disciplinary

Conference to determine the appropriate discipline, or otherwise address the deficiency, up to and including removal.

Mandatory Referral to Employee Assistance Program

Human Resources may require an employee to seek assistance through the County's Employee Assistance Program (EAP) to identify and resolve issues that may be interfering with job performance. Supervisors may initiate a mandatory EAP referral by contacting Human Resources. A referred employee's attendance, motivation level, and willingness to follow recommendations will be reported back to County management by the EAP administrator.

6.12 End of Employment

The County strives to build long-term mutually beneficial relationships with its employees and wishes future success to employees who exit employment.

Resignation

Employees may resign from employment with the County by providing written notice to Human Resources or their supervisor. Upon receipt, Human Resources will confirm acceptance to the employee in writing. An employee may not rescind a notice of resignation after acceptance unless Human Resources, in conjunction with the employee's department director, approves the request to rescind in writing. Employees are requested, when possible, to provide at least fourteen (14) calendar days advance written notice of their intention to resign.

Retirement

Employees may retire from County service by submitting the appropriate forms to the Ohio Public Employees Retirement System (OPERS) and providing written notice to Human Resources. Forms may be found on the OPERS website: www.OPERS.org or by contacting Human Resources. Upon receipt, Human Resources will confirm acceptance to the employee in writing. An employee may not rescind a notice of retirement after acceptance unless Human Resources, in conjunction with the employee's department director, accepts the employee's request to rescind. Employees are requested, when possible, to provide fourteen (14) calendar days advance written notice of their intention to retire.

Disability Separation

An employee who is unable to perform the essential job functions of their position due to a disabling illness, injury or condition, and has exhausted all paid sick leave and applicable unpaid leave, may be disability separated in accordance with the ADA and other applicable law. A disability separation may be voluntary or involuntary. The County may require the employee to submit to a medical or psychological fitness for duty examination with a physician chosen by the County for determining whether the employee can perform the essential job functions of their position, with or without reasonable accommodation.

Voluntary Disability Separation

A disability separation is voluntary when an employee requests to separate. The County may grant an employee's request for voluntary disability separation or may require the employee to submit to a medical

or psychological examination. If the examination supports the employee's request, the County shall grant the employee's request for voluntary disability separation. If the medical examination does not support the employee's request, the County shall not approve the employee's request for voluntary disability separation.

An employee who is granted a voluntary disability separation shall retain the right to be reinstated to their position for two (2) years from the date that the employee is no longer in active work status.

Involuntary Disability Separation

A disability separation is involuntary when there is a dispute between the County and the employee regarding the employee's ability to perform the essential functions of their position, with or without reasonable accommodation. The County must have medical evidence of an employee's disabling illness, injury or condition that documents the employee's inability to perform one or more essential functions of their position. The County will schedule a pre-separation hearing and the employee shall be provided with written notice at least seventy-two (72) hours in advance. If the employee does not waive their right to the hearing in writing, the employee has the right to examine the County's evidence of disability, rebut that evidence, and present testimony and evidence on their own behalf at the hearing. If the County determines, after weighing the testimony and evidence admitted, that the employee is unable to perform one or more essential functions of their position, with or without reasonable accommodation, then the County shall separate the employee. Unless otherwise specified in the employee's CBA, an involuntarily disability separated employee shall have the right to appeal to the Personnel Review Commission (PRC) by following the PRC Administrative Rules.

Reinstatement from Disability Separation

An employee on disability separation for less than two (2) years may make a written request to the County for reinstatement accompanied by credible medical evidence that the employee can perform the essential functions of their position, with or without reasonable accommodation. A request cannot be made less than three (3) months from the date the employee was no longer in active work status. Upon receipt of this evidence, the County shall either reinstate the employee or require the employee to submit to a medical or psychological fitness for duty examination to determine whether the employee can perform the essential functions of their position, with or without reasonable accommodation. The County shall notify the employee of its decision to approve or deny the reinstatement request no later than sixty (60) calendar days after it receives the employee's written request. If the County determines that the employee is unable to perform one or more of the essential functions of the position, with or without reasonable accommodation, the County will schedule a hearing and provide the employee written notice at least seventy-two (72) hours in advance. If the employee does not waive the right to the hearing, the employee has a right to examine the County's evidence of continuing disability, rebut that evidence, and to present testimony and evidence on their own behalf. If the County then finds the employee incapable of performing one or more of the essential functions of their position, with or without reasonable accommodation, the employee will be notified of this decision in writing and shall have the right to appeal to the PRC by following the PRC Administrative Rules. The employee shall not make subsequent requests for reinstatement more than once every three (3) months from the date the employee is notified of a reinstatement denial. If the County determines that the employee is to be reinstated, the employee will be assigned to a position in the classification the employee held at the time of disability separation if

a position is available. If that classification no longer exists or is no longer utilized by the County, or if there is no available position, the County shall endeavor to place the employee in a similar classification. If no vacancy in a similar classification exists, or if the employee no longer meets the minimum qualifications, the employee may be laid off.

Disability Retirement

Employees who are unable to perform the essential duties of their position, with or without reasonable accommodation, due to a disabling illness, injury or medical condition, may be eligible for disability retirement through OPERS. Employees must contact OPERS to initiate the disability retirement process. Employees seeking reinstatement from a disability retirement pursuant to applicable state law shall be required to submit appropriate documentation of their ability to work and may be required to submit to an examination to determine whether they can perform essential functions of their position, with or without reasonable accommodation.

Layoff

Whenever the County determines that it is necessary or advisable to reduce its workforce, the County shall lay off employees or abolish their positions in accordance with the County Code and any applicable provisions of the Ohio Revised and Administrative Codes. Affected employees will be provided with information related to order of layoff, displacement rights, reinstatement rights and other information related to the layoff process (e.g., job placement services and unemployment).

Bargaining employees should refer to their CBA for information regarding layoffs.

Disciplinary Removal

Employees may be subject to involuntary separation based on disciplinary action as described in this handbook or their CBA.

Employee Separation Appeal

Classified employees who are involuntarily separated may appeal their separation to the PRC by following the PRC Administrative Rules. Bargaining employees who are involuntarily separated may appeal their separation based on the terms outlined in their CBA.

Final Paycheck

Upon separation of employment, compensation for accrued vacation leave and compensatory time will be included in the last paycheck or may be included in a separate check (provided that all County property i.e. laptop, keys, have been returned). There is no compensation for unused sick leave or exchange time except upon retirement. An employee with ten (10) or more years of service may receive payment for one-fourth (1/4) the value of accrued, unused sick leave, not to exceed 240 hours (30 days).

6.13 Delayed Openings/Early Closing

Emergency Delayed Openings/Early Closing

As a general practice, the County does not close buildings unless the health, safety and/or security of County employees are threatened. In addition, from time to time the County may delay opening, suspend operations or release employees because of an emergency such as power failure, hazardous weather conditions, acts of God, or similar situations. These situations may necessitate the delayed opening or early closing of multiple buildings and/or ceasing all work activities.

Certain jobs are considered essential during an emergency and require designated personnel to be present for work. Employees should consult with their supervisor or department director to determine if they are considered an essential employee.

Notification

In the event of an emergency, the County Executive, or their designee, will be responsible for initiating delayed opening or early closing procedures.

If the decision to delay opening or early close more than one (1) County site has been made, the County's Department of Communications is responsible for initiating general notification to County employees and the public. Other designees, including the County Executive, department directors and Human Resources, may also disseminate the notification.

Employee notifications can occur in multiple ways, for example:

- contact by a County official
- local media, including local radio, television stations and their corresponding websites
- The County's Internet home page at www.cuyahogacounty.us and/or intranet site
- Notification from "ReadyNotify." Employees are encouraged to register with ReadyNotify (<https://ready.cuyahogacounty.us>) to receive all emergency notifications
- posting on an official County social media platform

Employees are encouraged to listen to local radio and watch for television announcements during periods of adverse weather or states of emergency to determine the status of their facilities. In addition, employees can also call the County main emergency message number, (216) 443-7000, and listen to a recorded message.

Employees Operating During Delayed Openings/Early Closings

The County may require employees to work during delayed openings or early closing. Department directors are responsible for identifying, designating and notifying employees responsible for carrying out critical functions who are expected to report to work in the event of a delayed opening or early closing.

Pay Provisions During Delayed Openings/Early Closings

Non-exempt employees who are at work when a delayed opening or early closing is declared may be sent home and will be paid for the balance of their scheduled hours. Exempt employees will receive their regular pay for the day.

Employees on approved leave (e.g., vacation, sick, personal day, etc.) will be charged according to their leave arrangements.

The County reserves the right to determine pay provisions based on the circumstances. Factors that may be considered include, but are not limited to, notice to employees not to report and duration of the emergency.

Non-Emergency Delayed Openings/Early Closings

The County Executive may authorize the delayed opening or early closure of one (1) or more buildings or offices for any reason deemed appropriate. In the event of an authorized non-emergency delayed opening or early closure, the provisions regarding notification, essential employees working, and pay for emergency delayed openings or early closures shall apply.

7 STANDARDS OF CONDUCT

7.01 Anti-Harassment and Anti-Bullying

The County is committed to providing a workplace free from harassment, including sexual harassment and bullying. Conduct that unreasonably interferes with an individual's work performance, that creates an intimidating, offensive or hostile work environment, and/or adversely affects employment opportunities is strictly prohibited.

An employee who is found to have harassed or bullied an employee, or anyone engaged in County business, or anyone on County property, may be subject to corrective action (see section 6.09), disciplinary action (see section 7.11), training, mediation, or transfer. This includes any employee who interferes with the resolution of a complaint, retaliates against an individual for filing a complaint, or knowingly files an unfounded or fraudulent complaint intended to cause harm.

Harassment and bullying can be intentional or unintentional. It is the impact of the employee's actions, not intent, that determines if harassment or bullying occurred.

Definitions

Workplace Harassment is any unwelcome verbal, written or physical conduct that demeans or shows hostility, or aversion, toward an individual, or their relatives, friends or associates, because of their race, color, ancestry, national origin, language, religion, citizenship status, sex, age, marital status, sexual preference or orientation, gender identity/expression, military/veteran status, disability, genetic information, membership in a collective bargaining unit, status with regard to public assistance, and political affiliation, or on the basis of association with an individual that falls into a protected category of the County's equal opportunity policy, which can reasonably be considered to adversely affect the work environment.

Such harassing conduct may include, but is not limited to:

- Epithets, slurs, jokes, negative stereotyping or threatening, intimidating or hostile comments or acts
- Written or graphic material which demeans or shows hostility or aversion toward an individual or group

Sexual Harassment includes unwelcome sexual advances, requests for sexual favors, and all other verbal or physical conduct of a sexual nature, from one of the opposite sex, or from one of the same sex when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting such individual's employment

- Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance, or is so pervasive or severe that it creates an intimidating, hostile or offensive environment

The terms "intimidating," "hostile" and "offensive" are interpreted according to legal standards generally from the viewpoint of a reasonable person in similar circumstances as the complaining party.

Examples of sexual harassment include, but are not limited to:

- unwanted sexual advances
- demands for sexual favors in exchange for favorable treatment or continued employment
- repeated sexual jokes, flirtations, advances or propositions
- verbal abuse of a sexual nature (e.g., graphic comments about a person's body or sexual prowess)
- whistling or leering
- touching, pinching, or assault
- coerced sexual acts
- suggestive insulting, obscene comments or gestures
- displaying sexually suggestive objects, pictures or written material in the workplace

Bullying is egregious or repeated inappropriate behavior, intentional or unintentional, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons toward a co-worker or anyone engaged in County business, on County property and/or that could reasonably be expected to impact the workplace.

When an allegation of bullying is made, the intention of the alleged bully is irrelevant, and will not be given consideration when enforcing this policy. It is the effect of the behavior upon the individual that is important. The County considers the following types of behavior examples of bullying (this list is not all inclusive):

- **Verbal or Written:** slandering, ridiculing or maligning a person or their family; persistent name calling that a reasonable person would consider hurtful, insulting or humiliating; using a person as the center of jokes; abusive and offensive remarks.
- **Physical:** pushing; shoving; kicking; poking; tripping; assault, or threat of assault; damage to a person's work area or property.
- **Gesture:** non-verbal threatening gestures or glances which a reasonable person would consider threatening.
- **Cyber:** the use of electronic communication to bully a person, typically by sending messages of an intimidating or threatening nature.

Prohibited Retaliation

Any form of retaliation against those who bring forward complaints or perceived violations of this administrative guideline, or against those who oppose discrimination or harassment or participate in an investigation of a complaint, is strictly prohibited. Any action that is perceived to be retaliatory should immediately be reported to Human Resources.

Reporting Workplace Harassment, Sexual Harassment, Bullying, or Retaliation

Employees who believe they are the victim of workplace harassment, sexual harassment, bullying, or retaliation must immediately report the issue to Human Resources. An employee can also report their concern to their supervisor or department director. Any supervisor or department director made aware of an employee concern regarding workplace harassment, sexual harassment, bullying, or retaliation must immediately contact Human Resources.

Employees who are aware of or witness potential workplace harassment, sexual harassment, bullying, or retaliation must report such conduct immediately. Supervisors and department directors must immediately report any potential instances of workplace harassment, sexual harassment, bullying, or retaliation involving employees or others to Human Resources.

Investigation

The County will investigate all reported concerns. An investigation may include conducting interviews, obtaining written statements, and reviewing records. The County will complete investigations in a prompt manner. The length of the investigation will vary based on the circumstances involved.

After obtaining and reviewing all available information, the County will determine if any employee violated any County policy. The employee who made the report and the accused employee(s) will be notified in writing of this determination.

If the County finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer.

Confidentiality of Reports

The County will maintain the confidentiality of all investigations, to the extent possible and allowable under applicable Ohio law and may share information on a need-to-know basis. The County will advise all concerned parties to keep information relating to the investigation confidential. Employees should be aware that information obtained during an investigation may be released to comply with a subpoena, public records request, or other disclosure required by law.

Unauthorized disclosure of facts or opinions and/or spreading of information about a report, its participants, investigation or resolution, whether accurate or not, is prohibited and may subject an employee to disciplinary action.

False Allegations

Employees are prohibited from making a report the employee knows is not true. If an investigation reveals that an employee knowingly made a false allegation, the employee may be subject to disciplinary action.

These procedures are not designed or intended to limit the County's authority to discipline or take remedial action for workplace conduct it deems unacceptable, regardless of whether that conduct satisfies the definition of harassment or bullying.

7.02 Resolving Work-Related Concerns

The County strives to maintain a workplace that fosters a productive and harmonious working environment where work-related concerns are managed promptly, impartially and justly.

Minor problems can develop into larger disputes, if they are not dealt with quickly and effectively. It is the County's intent to foster positive and collaborative relationships amongst employees and our customers. The County encourages quick and decisive resolutions to work-related concerns.

An employee with a work-related concern should first attempt to address the concern informally, with their supervisor. If the employee cannot resolve the issue informally with their supervisor, the following process must be used:

- **Step 1:** The employee must bring their concerns to the attention of their supervisor, in writing, for a resolution. Once made aware, the supervisor must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The supervisor's response will be in writing.
- **Step 2:** If the employee believes the situation remains unresolved, the employee must make a written request to their department director or designee outlining the concern, the date when the employee advised their supervisor of the concern, and that the concern remains unresolved. The department director or designee must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The department director or designee's response will be in writing.
- **Step 3:** If the employee believes the situation remains unresolved, the employee must bring the written concern to the Director of Human Resources or designee. The Director of Human Resources or designee must seek to resolve the concern within a timely manner, generally not to exceed fifteen (15) workdays. The Director of Human Resources or designee's response will be in writing.
- **Step 4:** If the employee believes the situation remains unresolved, the employee must bring the written concern to the County Executive or designee. The County Executive or designee's decision is final, and the employee shall be notified in writing.

If employees are uncomfortable, or feel it is inappropriate to address the issue with a level(s) of management identified in this procedure, they may consult directly with Human Resources. An employee who skips one (1) or more steps in this procedure without reasonable cause, as determined by the

Director of Human Resources or designee, may be required to complete the skipped step(s) before any further action will be taken regarding the employee's concern.

When this handbook establishes a process for reporting a concern (e.g., for reporting workplace violence, harassment, sexual harassment, discrimination, bullying, or retaliation), employees should follow the procedures for those circumstances. Bargaining employees should consult their CBA regarding the resolution of work-related concerns.

Retaliation against an employee for following this process is strictly prohibited. Human Resources may be consulted at any step in this procedure for assistance.

7.03 Employee Dress/Appearance

The County has adopted a business-casual work apparel environment for its employees. Business-casual work apparel is intended to encourage a more relaxed and productive environment at work while at the same time maintaining an atmosphere of neat, well-groomed, business-like appearance among employees. Projecting a positive image of our workplace to our customers, volunteers and fellow employees should be a high priority for all employees.

Employees should exercise reasonable judgement and may consult with their supervisor to determine when professional business attire is necessary for specific work obligations.

With the approval of the Director of Human Resources, departments may have more specific work-apparel guidelines based on the nature of the work performed (examples include but are not limited to, employees working outside, uniformed employees, etc.).

If a supervisor decides that an employee's dress or appearance is not appropriate as outlined in this procedural guideline, they may take corrective action and require the employee to leave the work area and make the necessary changes to comply with the procedure. An employee who is dressed inappropriately may be sent home to change their clothes and may be subject to disciplinary action. An employee who is sent home shall be placed in unpaid status or may use appropriate leave (e.g., vacation, exchange, or compensatory time) to cover a reasonable amount of time that they are away from the worksite.

Nothing in this guideline is intended to limit an employee's rights relating to non-discrimination or to hinder the advancement of diversity at the County. The County will reasonably accommodate those employees whose bona fide religious belief or disability requires special attire.

7.04 Attendance

Timely and regular attendance is an expectation of performance for all County employees. To ensure appropriate staffing levels, positive employee morale, and to meet expected productivity standards throughout the organization, employees will be held accountable for adhering to their workplace

schedule. In the event an employee is unable to meet this expectation they must obtain approval from their supervisor in advance of any requested schedule changes. This approval includes requests to use appropriate accruals, as well as late arrivals to or early departures from work. Departments have discretion to evaluate and issue discipline when appropriate. Employees covered under a CBA should refer to their CBA for time and attendance requirements, if applicable.

Punctuality and regular attendance are essential to ensure optimal productivity and customer service. Employees are required to maintain a satisfactory record of attendance. The County recognizes that employees will at times experience illness, or on an occasion be late for work due to unusual circumstances. This policy attempts to acknowledge both management and employee concerns.

Occurrences

An occurrence is defined as an unapproved absence, two (2) tardies or two (2) missed time clock punch-ins/outs. The total number of days or partial days that an employee is unavailable for work due to unapproved absence are considered when applying discipline, as outlined in the table below.

Unapproved Absences

An absence is deemed unapproved when an absence of more than one hour is not covered by an approved leave (e.g., sick, FMLA, vacation, compensatory or exchange time).

Employees will be docked pay for all hours missed due to unapproved absences.

Tardy

An employee is tardy when the following occurs involving periods of one hour or less:

- failure to report to work on time, as scheduled
- taking an extended meal or break period without prior approval

Time Clocks and Failure to Clock Punch-in/out

Employees who use timeclocks are required to follow established guidelines for recording their actual hours worked. A missed clock punch-in/out is a violation of procedural guidelines, as is punching-in/out early or late without prior approval.

Department Notification

Employees are expected to follow departmental notification procedures if they will be late for work, will not be at work, or are requesting planned time away from work. Employees must request in advance to their supervisor or designee if they wish to arrive early or leave early from an assigned shift. Incidences of not following departmental notification procedures will be addressed in accordance with the County's progressive discipline guidelines. Please note that no call/no show is defined as AWOL below and treated differently from other notification violations.

The employee must follow their departmental notification procedures when an absence is due to a documented/approved leave of absence (e.g., FMLA, military leave, etc.) to ensure appropriate tracking of leave utilization.

Absence Without Leave (AWOL)

Employees who are absent for three (3) or more consecutively scheduled workdays without prior notification to their supervisor will be AWOL, and the County may accept that the employee has voluntarily resigned without notice. Supervisors should immediately consult with Human Resources if this situation occurs. A single day of no call/no show is subject to corrective action based on the circumstances of each individual case.

Progressive Discipline for Attendance

An occurrence is documented as a tardy and/or missed time clock punch-in/out. Supervisors and department management staff are responsible for tracking accumulated occurrences and for initiating the discipline process in consultation with Human Resources to ensure consistent application of discipline across the organization.

The following table is a guideline for discipline based on the total number of occurrences. Occurrences will be considered active for discipline purposes using a rolling twelve (12) month period. Occurrences will not be issued for absences that are protected under FMLA, ADA, Workers’ Compensation, or legal proceedings leave.

Definition	Occurrences	Disciplinary Action
An occurrence is equal to any of the following: <ul style="list-style-type: none"> ▪ 2 tardies ▪ 2 missed clock punch-in/outs ▪ 1 full or partial day unapproved absence 	2	Verbal reprimand
	3	Written reprimand
	5	1-day suspension
	7	3-day suspension
	9	Termination
<ul style="list-style-type: none"> ▪ Day of no call/no show 	1	1-day suspension
	2	3-day suspension
	3	Termination
<ul style="list-style-type: none"> ▪ AWOL (3 or more consecutive days of no call/no show) 	1	Employee deemed to have voluntarily resigned through job abandonment.

If an employee accumulates several occurrences within a single pay period, the employee may be advanced to the level of discipline called for in these guidelines even if the employee has no prior discipline. For example, an employee with no prior discipline who accumulates five (5) occurrences in a pay period will be issued a one (1) day suspension.

This procedural guideline will be administered in conjunction with the timelines contained in this handbook and the County’s CBAs for the expiration of active discipline. For example, if the timeline for the expiration

of active discipline is twenty-four (24) months, a verbal reprimand issued under this procedural guideline will remain active for twenty-four (24) months and will be used as the basis of future discipline. If the discipline immediately prior to the one being assessed was less than twenty-four (24) months ago, the next discipline assessed will progress based on that prior discipline, unless the guidelines recommend discipline that is more severe. Examples: 1) If an employee has an active one (1) day suspension for missed clock punch-in/out and then is charged with two occurrences of tardiness, the employee will receive a three (3) day suspension. 2) If a three (3) day suspension has been imposed pursuant to this guideline and remains active, the next discipline will be termination.

7.05 Employee Responsibility for County Property

Employees shall not abuse, neglect, waste or misappropriate County property. All employees are responsible for the proper care of any tools, materials, equipment, vehicles, etc. assigned for the performance of their jobs. No County property shall be used for any purpose other than authorized work-related activities, this includes computers and the Internet. No County property shall be taken from the worksite for any purpose unless specifically authorized by the employee's supervisor.

In most cases, unless otherwise designated, uniforms, tools and equipment (e.g., County-issued cell phones, pagers, computers, keys, uniforms, identification badges, etc.) must be returned upon separation from employment. As a condition of employment, all employees agree that if the employee does not return County property the replacement cost of the item(s) will be deducted from the employees' salary and leave balance(s) due (except when prohibited by law). If the amount does not cover the costs, the employee will be responsible for paying the difference.

7.10 Notification of Criminal Arrest or Conviction

Any County employee that is arrested, charged and/or convicted for any crime, other than a minor traffic violation, must immediately report the incident to Human Resources. Examples of crimes that must be reported include, but are not limited to:

- felonies (or being arrested for a crime punishable as a felony)
- a crime involving dishonesty, fraud, or theft (e.g., forgery, burglary, robbery, credit card fraud, perjury, bribery, tax evasion)
- Crimes of moral turpitude (e.g., sex offenses, pandering, prostitution, importuning, public indecency)
- Crimes involving physical violence (e.g., assault, patient abuse or neglect)
- Drug-related crimes (e.g., trafficking offenses, drug possession)

Criminal activity or an undisclosed criminal arrests or convictions may constitute cause for discipline. Determination of such action will be based on an analysis of the responsibilities of the position and the nature and time frame of the conviction.

7.11 Progressive Discipline

The County subscribes to a policy of progressive discipline. Progressive discipline is not intended to be punitive. The goal of progressive discipline is to help the employee recognize and correct unacceptable behavior before it becomes serious enough, or frequent enough, to warrant termination of employment.

Application

When progressive discipline is applied, the County shall examine the totality of the employee's current disciplinary record, including, but not limited to, attendance and tardiness discipline that remains active.

Procedure

Supervisors and managers are responsible for exercising independent judgement to identify and recommend the need for discipline.

When a management representative recommends discipline, they shall consult with Human Resources for guidance and to ensure consistency across the organization. Prior to recommending discipline, supervisors must have investigated and obtained documentation of the alleged conduct.

After a supervisor has recommended discipline, the role of Human Resources is to provide guidance on the level of discipline to be imposed. If the facts of the case may justify a suspension, demotion, or removal, the management representative will complete a request for Pre-Disciplinary Conference (PDC).

The purpose of the PDC is to provide the employee with a final opportunity to present their side of the case and to provide any additional information or documentation that the employee desires to be considered. Human Resources will coordinate the PDC and will provide written notice to the employee and supervisor regarding the date, time, and location of the PDC. Employees shall be provided with the option of waiving the PDC.

Depending on the nature of the discipline that is ultimately issued, employees will be notified of discipline by their supervisor or Human Resources.

All disciplinary actions that are imposed shall be filed with Human Resources. Disciplinary actions will remain active for two (2) years for purposes of progressive discipline. The two (2) year period shall be measured backward from the date of the subsequent offense to the date the prior discipline was imposed.

Levels of Disciplinary Action

The County reserves the right to skip one or more levels of progressive discipline depending on the circumstances and/or severity of the offense.

- **Verbal Reprimand:** A verbal reprimand is an articulation of the problem by the supervisor to the employee. A verbal reprimand shall note the date and nature of the problem, as well as specifically state the employee is receiving a verbal reprimand.

- **Written Reprimand:** A written reprimand is formal, written notice by the supervisor to the employee that their conduct is inappropriate, what actions are necessary to correct the misconduct, and the consequences of continued misconduct.
- **Working Suspension:** A working suspension results with an employee is required to report to work to serve a suspension. An employee serving a working suspension shall be compensated at their regular rate of pay for hours worked. The working suspension shall be recorded in the employee's personnel file and has the same effect as a suspension for the purposes of progressive discipline.
- **Suspension:** A suspension is a forced, unpaid leave of absence from employment for one (1) or more days.
- **Demotion:** A demotion is a forced transfer of the employee from one classification or job to another classification or job in a lower pay grade.
- **Removal:** A removal is a forced separation of employment.

A record of any disciplinary action must be made using a form prescribed by Human Resources and will be placed in the employee's personnel file.

At the sole discretion of the Director of Human Resources or designee, an employee may be temporarily placed on paid administrative leave. This may be necessary because the employee's actions indicate that remaining on the job or returning to the job may be detrimental to the employee, co-workers, customers or the County. Employees who are placed on paid administrative leave shall be prepared to return to work each day and may be subject to other requirements determined by Human Resources.

Prohibited Conduct

The County considers the following to be a non-exhaustive list of unsatisfactory conduct that may be considered grounds for progressive disciplinary action:

- Absence from duty without reasonable cause
- Absence without leave
- Being away from assigned work area without permission of supervisor
- Conduct that might endanger the safety of others
- Conduct unbecoming an employee of the County
- Creating a hostile, intimidating or offensive work environment based upon a protected characteristic
- Excessive absenteeism
- Excessive tardiness
- Failure to comply with safety regulations, procedures and/or guidelines
- Failure to cooperate in a workplace investigation
- Failure to follow call in procedures
- Failure to follow the orders of a supervisor
- Failure to properly report work status
- Failure to report known safety hazards
- Failure to wear required safety equipment

- Falsification
- Fighting
- Harassment, discrimination or retaliation against another
- Insubordination
- Intimidation or threats
- Misfeasance, malfeasance or nonfeasance
- Neglect of duty
- Offensive language or conduct toward another
- Poor job performance
- Possession of weapons on County premises without authorization
- Reckless operation and/or misuse of County vehicles and equipment
- Reporting for or being on duty in an unfit condition to work
- Reporting to work under the influence of alcohol and/or drugs
- Sleeping while on duty
- Theft
- Use of or possession of alcohol and/or drugs on County property
- Destruction of County property
- Violation of policies, procedures, rules, regulations, or guidelines

Evaluation of Inappropriate Conduct

All inappropriate conduct shall be evaluated on a case by case basis, considering the following factors:

- Level of disruption to County business.
- Level of harm to the County's interests.
- Level of damage to the public's trust and confidence in Cuyahoga County government.
- The employee's position and the degree of responsibility inherent in that position (i.e., supervisory vs. non-supervisory positions). Employees who occupy a supervisory or management position are held to a higher standard of conduct commensurate with the level of leadership required of them.
- Whether the employee's conduct is part of a continuing problem.
- Whether the employee's conduct put a co-worker, vendor or customer's safety and/or security at risk.
- Whether the employee's truthfulness brought into question because of his or her conduct.
- Whether there are extenuating or mitigating circumstances.

Appeals

The Cuyahoga County Charter provides classified non-bargaining employees an appeals process for certain disciplinary action through the Personnel Review Commission (PRC). Details are available on the website of the PRC. Bargaining employees should review their CBA regarding appeals.

8 WORKPLACE SAFETY

8.01 Workplace Violence Prevention

The creation and maintenance of a safe environment for all employees is one of the County's highest priorities. The County's goal is to prevent workplace violence through early intervention and investigation of threats or acts by or against employees while engaged in the performance of their duties.

All employees must make a reasonable effort to recognize potentially violent situations and take the appropriate measures to prevent escalation. All individuals are entitled to a non-threatening environment while on County property, or off County property when serving the County. Therefore, any form of violence, whether actual or perceived, will not be tolerated.

Definition

Workplace violence is defined as any act of aggression or violence or any statement that could be perceived by a reasonable person as an intent or threat to cause harm to a person or to property. Workplace violence can occur on or off County property and includes acts that could reasonably be expected to impact the workplace, including acts committed when an employee is off duty.

Reporting Workplace Violence

Any employee who witnesses or experiences workplace violence must promptly report the incident. All reports will be treated seriously and investigated accordingly. In the event of an imminent danger to themselves, or others, or property, employees should handle the situation as outlined below:

- Immediately call Protective Services at your location or, if direct telephone access is available call 911 to inform them of the incident. Until Protective Services staff or the police arrive, retreat to safety and try to avoid physical confrontation. If the circumstances permit, immediately notify your supervisor or manager of the incident. Do not attempt to take matters into your own hands.
- When the situation is so serious that immediate removal of an employee from property is necessary, the Director of Human Resources may place an employee on immediate paid or unpaid leave and have the employee removed from County property. In this case, the employee's supervisor should contact Human Resources regarding the need for disciplinary action.
- After an incident, any person who witnesses or has knowledge of the incident may be required to provide a statement to the manager or supervisor, describing the event. This is in addition to any statements given to Protective Services and/or local police.

In instances when the situation is not an emergency, employees should report the incident to their supervisor or manager immediately. If employees are not comfortable reporting the matter to a supervisor, reports of workplace violence may be made to Protective Services or Human Resources.

Supervisors and Protective Services staff are required to immediately communicate any complaints of workplace violence (or any acts of workplace violence that they witness or become aware of) to Human Resources.

Human Resources and department management will review each report and determine the appropriate response, which may include further investigation. If Human Resources finds that an employee has violated any County policy then Human Resources, in consultation with the employee's department director or designee, will determine the appropriate action, which may include corrective action (see section 6.09), disciplinary action (see section 7.11), mediation, training, or transfer. Additionally, if appropriate, the investigation findings may be forwarded to the proper authorities for further action, including criminal prosecution.

The County strictly prohibits retaliation against employees who report workplace violence. However, any employee who knowingly makes a false report may be subject to disciplinary action. In addition, nothing in this or any other policy or procedure should be construed as limiting employees' right to contact public safety officials in emergency circumstances.

Weapons

The County strictly prohibits the wearing, transporting, storage, presence or use of dangerous weapons on County property, or while engaged in business with or on behalf of the County, regardless of whether the person is licensed to carry the weapon under Ohio law. This prohibition does not apply to any law enforcement or Protective Services personnel engaging in official duties. Employees who violate this prohibition are subject to disciplinary action.

Employees who observe a person with a dangerous weapon on County property must immediately contact Protective Services.

For purpose of this policy, **County property** is defined as all County-owned or leased buildings and surrounding areas, such as sidewalks, walkways, parking lots and driveways under the County's ownership or control. Furthermore, this procedure applies to all County-owned or leased vehicles. Private vehicles that come onto County property are not included.

For questions regarding whether an item is covered under this prohibition, employees should contact Human Resources. It is the responsibility of every employee to make sure any item in their possession is not prohibited by this prohibition.

8.02 Smoke and Tobacco Free Workplace

To protect the health and safety of County employees and our customers, and to create a cleaner and more sustainable work environment, the County has established a smoke and tobacco free workplace, including owned and leased buildings, grounds, and vehicles.

Definitions

- **County premises** shall include all property owned or leased by the County, including all vehicles.
- **County time** shall include all time during which employees are on County premises or performing work for the benefit of the County. Breaks (including lunch breaks) shall not be counted as County

time if the employee is not on County property and is not performing work for the benefit of the County during the break.

- **Smoking** is defined as the use of smoke-producing tobacco products, including but not limited to cigarettes, cigars, cigarillos, mini-cigars, e-cigarettes, tobacco alternative vapor or vaping products and hookahs. All forms of smoking are prohibited.
- **Tobacco use** is defined as the use of any tobacco product including, but not limited to cigarettes, cigars, cigarillos, mini-cigars, hookah, chewing tobacco, snuff, and other smokeless tobacco products. All forms of tobacco use are prohibited.
- **E-Cigarette use or vaping** is defined as the use of electronic smoking devices and/or electronic nicotine delivery systems.

Prohibited Conduct

Employees are not permitted to smoke, use tobacco, e-cigarettes, or vape while on County property or while on County time. Employees are permitted to use FDA-approved tobacco/nicotine cessation aids, such as nicotine patches and gum.

Cessation Programs

The County provides access to resources for those who are interested in quitting the use of tobacco products. The County also offers an Employee Assistance Program, or you can contact the Ohio Tobacco Quit Line at 1-800-QUIT NOW.

8.03 Substance-Free Workplace

The County strives for a substance-free workplace to assist in maintaining a safe and productive work environment. To achieve this, the goal is to inform employees of the hazards of substance use, clarify the County's expectations for employees with respect to substance use and the potential consequences of violations of those expectations, and ensure availability of rehabilitative assistance programs to substance users. Because of the importance of maintaining a safe and productive workplace, substance abuse will result in discipline up to and including removal.

Individuals Covered

This guideline applies to all employees. Applicants for employment are subject to pre-employment testing requirements as described in this procedure.

Definitions

- **County premises** shall include all property owned or leased by the County, including all vehicles.
- **County time** shall include all time during which employees are on County premises or performing work for the benefit of the County. Breaks (including lunch breaks) shall not be counted as County time if the employee is not on County property and is not performing work for the benefit of the County during the break.
- **Employee Assistance Program (EAP)** is an employee benefit program intended to help employees address personal problems and/or behavior that may adversely impact work

performance, health and well-being. EAP's generally include assessment counseling and referral services for employees and their household members.

- **Last Chance Agreement (LCA)** is an agreement between the County, employees and the employee's union, for bargaining employees, which may be offered to employees found to be in violation of this policy. If offered, the last chance agreement sets forth behavior or performance the employee agrees to change in exchange for an opportunity for the employee to remain in employment with the County.
- **Legal drug** means any substance, the possession or sale of which is not prohibited by state law, including prescription drugs and over-the-counter drugs.
- **Prohibited drug** means any drug in any detectable amount which is not legally obtainable under state law; any drug which is legally obtainable but has not been legally obtained; any prescribed drug not legally obtained; any prescribed drug not being used for the prescribed purpose; any over-the-counter drug being used at a dosage level different than recommended by the manufacturer or being used for a purpose other than intended by the manufacturer; and any drug being used for a purpose not in accordance with bona fide medical therapy.
- **Reasonable suspicion** means suspicion based on personal observations that the County's representatives can describe concerning employees' appearance, behavior, speech, breath, body odor, and other physical or behavioral indicators of possible drug and/or alcohol use. Reasonable suspicion also may be based, in part, upon the documented observation of change in employees' typical behavior (e.g., excessive absence/tardiness or work performance changes), which suggests the use of drugs and/or alcohol.
- **Refusing to cooperate** means to refuse to sign a consent form, to obstruct the specimen collection process, including any attempt to tamper with the collection or testing process, or to fail to provide breath and/or urine specimens adequate for testing when directed to do so. Refusal to cooperate will typically result in suspension pending discharge unless the employee promptly establishes a valid medical basis for the failure to provide such specimens.
- **Substance Abuse Professional (SAP)** means a qualified professional, as defined by federal regulation who evaluates employees who have violated a drug or alcohol program regulation applicable to commercial driver's licenses. The SAP generally makes recommendations concerning employee education, treatment, follow-up testing and aftercare.
- **Under the influence** means that the result of a laboratory's analysis of the employee's urine or blood specimen shows a blood alcohol concentration of more than 0.02 of alcohol or a positive result for any prohibited drug or for a legal drug in contrary to the conditions identified in "Prohibited Conduct" (failure by employee to report immediately to their supervisor any duty-related limitations as a result of prescription or over-the-counter medications and employees may not be under the influence of any legal drug while on County time or premises). Employees holding a commercial driver's license will be held to the standard determined by federal or Ohio law or regulations adopted by the U.S. Department of Transportation.

Prohibited Conduct

Behaviors and activities that are strictly prohibited by this guideline include:

- Selling; distributing; transferring; delivering; purchasing; using, possessing, or being under the influence of alcohol or any prohibited drugs or prescription drugs obtained illegally on the County's premises or while on County time or in or on County vehicles or while representing the County in any way.
- Refusing to cooperate with administration of drug/alcohol testing procedures.
- Failure by employees to report immediately to their supervisor any duty-related limitations from prescription or over-the-counter medications they are taking. Prescription or over-the-counter medications that do not impair the employee's safety or job performance or the safety or job performance of others are not required to be reported.
- Employees may not use or be under the influence of any legal drug while on County time or while on the County's premises if said drug may adversely affect the employee's safety or job performance, or the safety or job performance of others.
- Failing to report a work-related vehicular accident to immediate supervisors or other designated County personnel where such non-reporting results in a failing to comply with the post-accident testing requirements of this procedure.

Engaging in prohibited conduct will subject an employee to disciplinary action and/or the imposition of an LCA.

Testing Categories

Post-Offer, Pre-Employment Substance Testing

Applicants who receive an offer of employment will be required to undergo a pre-employment substance screen test conducted at the County's designated testing facility. Any offer of employment that an applicant receives from the County is contingent upon, among other things, satisfactory completion of the examination, screening and substance testing.

The County may rescind an offer of employment that has been extended to any applicant who tests positive for drugs and/or alcohol or any other violation of this administrative procedure.

Reasonable Suspicion Testing

If the County has reasonable suspicion based on observations reported by a supervisor or another employee and documented on an Observation Checklist, the employee may be immediately sent for substance testing.

The supervisor who made a referral for substance testing may complete and sign an Observation Checklist setting forth the observations upon which the supervisor relied in making the referral for drug and/or alcohol testing. If possible, the Observation Checklist will be prepared before the end of the current shift, but no later than twenty-four (24) hours after the end of the current shift. A copy of the Observation Checklist shall be provided upon request to the subject employee.

The employee may be placed on administrative leave and/or re-assigned temporarily to other work duties until the County receives the results of a reasonable suspicion test.

Post-Accident Testing

When employees are involved in a work-related accident (e.g., industrial safety, motor vehicle), they must report the accident to the supervisor or manager immediately. Employees shall be subject to post-accident testing if:

The employee is involved in a work-related accident that the County's representatives conclude was in whole or in part caused through the employee's action or inaction; or the accident resulted in damage to property either leased or owned by the County.

Post-accident testing involving a motor vehicle by an employee who holds a CDL will be completed within two (2) hours, unless not feasible due to extenuating circumstances.

Commercial Driver's License Testing

Employees required to have a valid Commercial Driver's License will also be subject to random testing as required by federal and Ohio regulations. Testing shall be performed by medical facilities/personnel and laboratories certified to perform such testing by the U.S. Department of Transportation and the Ohio Department of Transportation.

Return to Duty for Employees After a Positive Test Result

An employee with a CDL, or who operates a motor vehicle as part of their work duties, or who carries a firearm as part of their work duties, whose test result shows a urine or blood specimen with a blood alcohol concentration of more than 0.02 of alcohol or a positive result for any illegal drug or for a legal drug in contrary to the conditions identified in the Prohibited Conduct section of this guideline may be immediately relieved of duty for at least twenty-four (24) hours. The requirements of this provision are in addition to any disciplinary action and/or LCA to which the employee may be subject.

An employee with a CDL, who operates a motor vehicle as part of their work duties, who receives a positive test result that includes a blood alcohol content result of 0.04 or greater, or refuses to complete a test when required, shall not be permitted to operate a motor vehicle as part of their work duties until the employee completes a return to duty process with an SAP. A return to duty process concludes when the SAP certifies the employee has successfully completed all recommended referrals (e.g., treatment) and the employee completes a return-to-duty test with a negative result and with a blood alcohol concentration less than 0.02. The requirements of this provision are in addition to any disciplinary action and/or LCA to which the employee may be subject.

8.04 Fitness for Duty

Drug and Alcohol Testing

If a supervisor has a reasonable suspicion that an employee may be under the influence of alcohol or drugs, the supervisor shall immediately contact Human Resources, which shall determine if a reasonable suspicion test shall be conducted (see section 8.03).

Physical and Mental Health

The County may require that an employee submit to a medical or psychological examination to determine an employee's fitness for duty. If a management representative has a reasonable suspicion that an employee's behavior warrants a Fitness for Duty exam, they should contact Human Resources. Human Resources may place the employee on paid administrative leave pending the results of the examination.

An employee's refusal to submit to an examination or the unexcused failure to appear for an examination amounts to insubordination, which may result in disciplinary action. An employee will be responsible for the costs associated with an unexcused failure to appear at a scheduled examination (i.e., missed appointment fee).

Upon completion of the examination, the County will receive a physician's report outlining the results of the employee's fitness for duty. If the physician determines that the employee is fit for duty, the employee shall return to work on the day immediately following the day they are notified of the physician's findings or as soon as practicable. Failure to return to work may subject the employee to discipline pursuant to the Attendance Policy.

If the physician determines that the employee is not fit for duty, the employee will not be returned to work, will be removed from paid administrative leave and will be required to use their accrued paid leave (e.g., sick, vacation, exchange time, and/or compensatory time) or go on an unpaid leave. The employee will remain off work until they submit medical documentation, acceptable to the county, to Human Resources stating that they are able to perform the essential functions of their position, with or without reasonable accommodation.

8.05 Workers' Compensation

The State of Ohio Workers' Compensation Laws covers County employees. A County employee who sustains a job-related injury or occupational disease may be eligible to receive benefits from the Bureau of Workers' Compensation (BWC). A County employee who is involved in a work-related accident/injury should seek medical treatment and/or care immediately.

Employee Procedures

An employee who is involved in a work-related accident/injury or is diagnosed with an occupational disease must adhere to the following procedure:

- The employee must notify their supervisor of the work-related accident/injury or occupational disease diagnosis immediately or as soon as possible.
- The employee must obtain an Injury Reporting Kit and complete the Accident Investigation Report (AIR) within 24 hours of the occurrence, unless confined to a hospital. If confined to a hospital, the employee must complete the accident report within 24 hours of release from the hospital. Failure to complete the AIR may cause a denial of the claim and result in progressive discipline.
- The employee may seek treatment at the medical provider of their choice so long as the provider is BWC certified. If medical care is needed, the employee should obtain a Managed Care

Organization (MCO) card from Human Resources to give their provider. If immediate medical care is needed, the employee does not need to obtain a MCO card. Rather, the employee should inform their provider that they have a work-related injury and refer them to the County's MCO.

- An employee who is involved in a work-related accident/injury may be required to submit to a drug and/or alcohol test. The results of the drug and/or alcohol test, or the employee's refusal to submit to the test may affect the employee's eligibility for compensation and benefits and will subject the employee to the provisions of the County's Fitness for Duty Program.

Employees who are off work due to a work-related accident/injury or occupational disease are responsible for keeping their supervisors notified of their work status and to provide appropriate documentation from their physician. Appropriate documentation includes certification of total disability (BWC Form C-84) and physician's reports of work ability (BWC Form Medco-14).

If the employee is released to light or full duty, the employee must immediately provide appropriate documentation from their physician to Human Resources.

If an employee is required to attend an Industrial Commission hearing, he or she will be given up to two (2) hours of paid leave. The employee must present the Hearing Notice from the Industrial Commission to their supervisor prior to the hearing date to be granted the paid leave.

If an employee is required to attend a County or BWC mandated medical examination, he or she will be given up to four (4) hours of paid leave time to attend. The employee must present their supervisor with the written letter from the BWC, MCO or TPA to be granted the paid leave.

Time off for attendance at any medical appointment not mandated by the County or BWC must be covered by the employee's own leave time.

Supervisor Procedures

Immediately upon receipt of notification from an employee of a job-related accident/injury or occupational disease diagnosis, the supervisor shall:

- Provide the employee with an Injury Reporting Kit. Reporting kits can be obtained from Human Resources. The reporting kits contain the AIR that must be completed by the employee. Upon receipt of the completed AIR from the employee, the supervisor shall immediately give the form to Human Resources.
- Notify Human Resources of the incident.
- If the incident in question involves a vehicle accident, the supervisor is also required to complete a Fitness for Duty form and contact Protective Services.

Relationship to Leave Time

Employees who are off work for more than seven (7) calendar days due to a work-related accident/injury or occupational disease may be entitled to disability benefits through the BWC. It may be several weeks before the BWC determines eligibility and issues the first disability check to an injured employee. Employees who are off work due to a work-related accident/injury or occupational disease have the following options while waiting for the BWC to determine eligibility and issue disability payments:

- **Sick Leave.** The employee may elect to use their accrued sick leave and will continue to receive wages and benefits while using sick leave. Neither the BWC nor the County, will reimburse an employee for the usage of sick time. The BWC will not issue retroactive payment of disability payments to cover the time where sick leave was used.
- **Vacation/Compensatory/Exchange/Personal Leave.** An employee may elect to use their accrued vacation, compensatory, exchange or personal leave. The employee will continue to receive wages and benefits while using vacation, compensatory, exchange or personal leave. Should the BWC determine that the employee is eligible for disability payments, the BWC will issue retroactive disability payments to cover eligible periods where vacation, compensatory, exchange or personal leave were used. The County, however, will not reimburse or re-credit the employee for the vacation, compensatory, exchange or personal leave time used.
- **Unpaid Workers' Compensation Leave.** Injured employees also have the option of not receiving a paycheck from the County and waiting on BWC wage benefits. However, the decision to go into unpaid status may affect health care benefits. Should the BWC determine that the employee is eligible for disability payments, the BWC will issue retroactive disability payments to cover eligible periods where unpaid workers' compensation leave was used. Should the BWC determine that the employee is ineligible to receive disability, the employee will not receive any retroactive payment or reimbursement from the BWC or the County.

Absences from work for 3 or more consecutive days due to injury or illness covered under workers' compensation will be deducted from the employee's FML available leave balance. The employee should consult the County's FML policy and procedures for more information.

8.06 Alternative Work Program

When an employee is injured, the County's MCO will review the employee's medical records and discuss restrictions with the employee's physician. The employee must file a workers' compensation claim with the BWC and complete the County's AIR before being considered for alternative work.

Human Resources will work in conjunction with department management to determine whether there is an appropriate alternative position. Human Resources will inform the employee of the new assignment, reporting time and work hours. For bargaining employees, the employee's union will be notified of the assignment. The employee will maintain their current rate of pay and their bargaining status. The County will make a reasonable effort to assign the employee to their regular shift.

An employee will be eligible for alternative work for up to sixty (60) calendar days. This initial sixty-day period may be extended by agreement between the County and the employee. At no time may an alternative work assignment exceed one hundred twenty (120) days.

For an employee to be allowed to return to their prior position, the employee must provide documentation, acceptable to the County, indicating that the employee can perform the essential functions of the position, with or without accommodation, or have been granted a reasonable accommodation under the ADA.

9 COMPENSATION

The County takes a holistic approach to employees' compensation centered around total rewards and administers a fair and equitable compensation program. The County categorizes compensation in two ways: direct and indirect.

Direct compensation is the money paid to an employee in exchange for their work. Direct compensation includes, but is not limited to, salaries/wages and other compensation such as retention payments and any other form of monetary compensation.

Indirect compensation is a benefit given to an employee that has a financial value but is not a direct monetary payment. This may include, but is not limited to, healthcare coverage (medical and supplemental), life insurance, retirement contributions, career planning, EAP services, wellness programs, employee recognition programs, flexible working schedules, paid vacation and sick time, County-issued cellular phones and learning and development opportunities. Indirect compensation provided to employees is described in Chapter 10 of this handbook.

The Personnel Review Commission administers the County's classification plan and salary administration for classified positions. Human Resources administers and maintains the County's compensation policies and procedural guidelines described below.

9.01 Salary/Wages

The County strives to pay wages that are competitive with organizations based on factors that may include, but are not limited to scope of operations, number of employees, industry and geographic location.

The determination of an employee's pay shall not be arbitrary or capricious, based on nepotism, political affiliation or any other factor that violates the Code of Ethics codified in Title 4 of the County Code or any other County, state or federal law. Pay determinations are based on relevant factors, including but not limited to, the pay range, direct experience performing the job functions, qualifications, the labor market, the pay of other employees assigned to similar positions, and other factors relevant to the employee's case.

An employee's salary/wages shall be approved by the County Executive or designee at the time of appointment or when any change is made to the employee's salary.

9.02 Retention Payments

Retention payments may be offered as an incentive to retain a key employee during a crucial time, such as implementation of critical projects, mass retirements, disruptive periods of organizational change, etc. Retention payments shall be approved by the County Executive or designee.

9.03 Premium Pay

Premium pay may be offered in exchange for obtaining and maintaining a job-related professional license/certification or formal demonstration of the employee's mastery of skills, knowledge, and/or competencies, beyond what is required. Premium payments shall be approved by the County Executive or designee.

9.04 Equity Adjustments

An equity adjustment is a mechanism for addressing salary inequities arising from external pressures in high demand fields and/or internal salary comparisons.

Reasons for equity adjustments may include, but are not limited to:

- a substantial increase in ongoing responsibilities that are not sufficient enough to warrant a reclassification or reassignment
- an unacceptable internal salary inequity between positions that are of comparable worth in a department or throughout the organization
- an unacceptable salary inequity between an employee's salary and the average salary of similar positions in the market
- the need to retain a key employee whose experience or special skills are uniquely critical

Equity adjustments may be made when approved by the County Executive, as the County's budget permits.

9.05 Compression Adjustment

A compression adjustment may occur when the salary/wages of a direct supervisor is/are too close to the salary/wages of their direct reports.

Human Resources, in consultation with the department director, will determine when a compression adjustment is appropriate. A compression adjustment may occur during organizational restructuring or when an employee is hired or promoted into a vacant position. There may be circumstances when compression adjustments are not made, including but not limited to:

- a temporary working level (TWL) assignment causes compression between a supervisor and their subordinates
- a supervisor has an atypical reporting structure
- a supervisor leads subordinates with specialized skills and/or significant, relevant experience whose pay is commensurate with their skill and experience
- an adjustment is not supported by the labor market

Compression adjustments shall be approved by the County Executive or designee.

9.06 Temporary Work Level (TWL)

A temporary work level (TWL) may be granted when an employee is temporarily assigned 50% or more of the duties of a position with a higher pay range for a minimum of a two (2) week period, but not to exceed one (1) year.

Time served in a TWL will not be applied towards the length of service requirement to qualify for reclassification through a position audit (see section 6.03).

The employee must meet the minimum qualifications for the position in the higher pay range to be granted a TWL. An employee who is granted a TWL will be placed on a step that reflects at least a 5% increase in his or her salary, or the lowest step in the higher pay range, whichever is greater.

A supervisor must consult, in advance, with Human Resources regarding a TWL. Human Resources will review TWL and makes a recommendation to the County Executive for final approval.

9.07 Non-Exempt Employees: Overtime/Compensatory Time

Non-exempt employees can earn overtime or compensatory time (a form of paid leave) when they work more than forty (40) hours in a workweek. Time spent on paid leave (i.e., sick, vacation, compensatory time off, etc., except for County-recognized holidays), does not count towards the forty (40) hours work requirement.

Employees must be granted prior authorization from their supervisor to work beyond forty (40) hours in a workweek.

State and federal law define overtime as compensation to non-exempt employees at time and one-half the regular rate for work beyond forty (40) hours in a work week. The County may pay an employee an overtime cash payment or can credit the employee compensatory time. Normally, the County will credit the employee with compensatory time. A department director may request, based on compelling or extraordinary operational needs, that the Director of Human Resources approve an overtime cash payment for an employee or group of employees in lieu of compensatory time.

An employee who has requested paid leave using compensatory time shall be permitted to use it within a reasonable time after the request, so long as it does not unduly disrupt their department's operations.

Compensatory time not used within one hundred eighty (180) days after it is accrued shall be converted to an overtime cash payment and paid to the employee. When ending employment, all unused compensatory time is paid at the employee's regular rate at the time of payment.

Non-bargaining employees may accrue up to the FLSA maximum of two hundred forty (240) hours of compensatory time. Eligible non-bargaining law enforcement employees may accrue up to four hundred

eighty (480) hours. Once employees reach the maximum compensatory time accrual, the County will pay for additional overtime hours worked.

Employees moving from a non-exempt position to an exempt position will receive payment for their accrued compensatory time at the time of the move.

9.08 Exempt Employees: Exchange/Straight Time

Exempt employees can earn exchange time (a form of paid leave) or a straight time cash payment when they work more than forty (40) hours in a workweek, provided the following:

- there is a compelling, extraordinary reason for the exempt employee to be required to stay beyond normal working hours – staying to finish up normal assignments does not qualify
- there is a “meeting of the minds” between the exempt employee and the supervisor - the employee must either be required to work over or be granted prior authorization by their supervisor to work the additional hours

Time spent on paid leave (i.e., sick, vacation, exchange time, etc., except for County-recognized holidays), does not count towards the forty (40) hours work requirement.

The County may pay an exempt employee a straight time cash payment (based on the employee’s hourly rate of pay) or can credit the employee with exchange time. Normally, the County will credit the employee with exchange time. A department director may request, based on compelling or extraordinary operational needs, that the Director of Human Resources approve a straight time cash payment for an employee or group of employees in lieu of exchange time.

Exchange time is accrued in increments of one-minute. The maximum balance of exchange time an exempt employee may accrue is forty (40) hours. Exchange time earned in lieu of holiday premium pay is not subject to the forty (40) hour requirement.

An employee who has requested paid leave using exchange time shall be permitted to use it within a reasonable time after the request, so long as it does not unduly disrupt their department’s operations.

Exchange time not used within six (6) months of accrual shall expire. If a critical or extraordinary operational need exists, the Director of Human Resources may authorize an employee to accrue up to two hundred (200) hours of exchange time and may extend the expiration timeframe up to one (1) year. At no time shall exchange time be paid out to the employee.

9.09 Executive and Special Compensation

Executive and Special Compensation procedural guidelines are administered by Human Resources. The Director of Human Resources determines which employees are eligible for, and may receive, Executive

and Special Compensation. If provided, Executive and Special Compensation is in addition to direct (salary/wage) and indirect (benefits) compensation.

Eligibility

The following job categories and/or job levels may be eligible for Executive and Special Compensation, as determined by the Director of Human Resources:

- Senior level positions (e.g., department directors, deputy directors)
- Hard-to-fill positions (e.g., highly technical roles within Information Technology or other departments)

Components of Compensation

Components may include, but are not limited to the following:

Lump-sum Signing Payments

A **lump-sum signing payment** is a one or two-time payment to a new or re-hired employee for accepting the County's job offer.

Total expenditure of a lump-sum signing pay shall not exceed 10% of the employee's annualized base salary. The County may require repayment of lump-sum signing pay if the employee separates their employment prior to a specified period, as determined by the Director of Human Resources. The terms and conditions associated with a lump-sum signing payment shall be included in the employee's offer letter. Lump-sum signing payments shall be approved by the County Executive or designee.

Incentive Pay

Incentive pay is a form of additional compensation paid to an employee for achieving specific job performance goals or hitting predetermined targets (e.g., extraordinary or mission critical objectives). Performance pay is compensation beyond normal wages and is typically awarded after a performance appraisal and analysis of projects completed by the employee over a specific period. Incentive pay can be added to an employee's current salary/wage or paid in a lump-sum. The terms and conditions associated with incentive pay shall be included in the employee's offer letter. Incentive pay shall be approved by the County Executive or designee.

Granted Exchange Time

Granted exchange time is a lump-sum amount of paid leave credited to an employee's exchange time balance, on a one time or reoccurring basis, that has not been accrued through the County's regular earned exchange time policy and procedures. Unused granted exchange time expires six (6) months after it is granted, unless otherwise approved by the Director of Human Resources in writing and will not be paid out upon separation from employment.

Total advanced exchange time that can be offered shall not exceed 120 hours within a calendar year.

The terms and conditions associated with granted exchange time shall be included in the employee's offer letter. Granted exchange time shall be approved by the County Executive or designee.

Executive Physical

Executive physicals are comprehensive wellness evaluations, typically offered to senior level positions. A standard executive physical requires up to eight (8) hours of the participant's time. Executive physicals are geared to discover potential health problems, target, reduce and eliminate medical risk factors and promote wellness, nutrition, fitness and stress management.

Relocation Reimbursement Assistance

Relocation expenses are incurred when an eligible employee relocates because of the County's offer of employment. Relocation Reimbursement Assistance is designed to provide financial relocation assistance to the eligible employee to minimize their inconvenience during the relocation.

Relocation Reimbursement Assistance is not intended to cover all costs related to the relocation of a new employee, their family, household goods and out of pocket and other related expenses. Relocation expenses must be accounted for and substantiated on the "Employee Business Travel and Expense Report" form with supporting documentation and approved by the Director of Human Resources.

The Internal Revenue Service (IRS) requires that the County withhold tax on certain moving-related reimbursements and to report all reimbursable relocation expenses for an employee, whether taxable or not. These expenses will be listed on the employee's W-2 Form and noted as "Moving Expenses."

The terms and conditions of any relocation reimbursement assistance shall be included in the employee's offer letter. Any offer of relocation reimbursement assistance shall be approved by the County Executive or designee.

Eligibility

Relocation Reimbursement Assistance may be available for employees who qualify for Executive and Special Compensation, either as new hires, or, in certain cases, are re-hired.

To be eligible for Relocation Reimbursement Assistance, a qualified employee must meet the guidelines established by the Internal Revenue Service for the deduction of moving expenses on annual income taxes. Applicable taxes will be deducted from the employee's wages for any reimbursement made by the County that are not entitled to be deducted based on the Internal Revenue Service Code.

Relocation assistance may be authorized for new employees who meet the following criteria:

- the commuting distance from, and to the old residence to the employee's assigned work location is 50 or more miles
- the relocation must be approved in advance by Human Resources and be stipulated in the new employee's offer letter
- the relocation benefit must be used within the first year of employment

- if an employee is a rehire (as a regular full-time employee), relocation benefits may only be extended if the individual was either not eligible for the benefit when they were previously employed, or they did not utilize the benefit when they were previously employed.

Qualified Uses of Relocation Reimbursement Assistance

Identifying Permanent Housing

The County may pay for up to a maximum of two (2) house hunting and family visitation trips for the new employee and up to three qualified family members to travel round-trip between Cuyahoga County and their current residence. Such trips will be limited to a maximum of eight (8) nights and nine (9) days per trip. Reimbursement will be for reasonable travel, lodging and meal expenses in accordance with the County's travel policy.

Temporary Living Expenses

The County may pay for temporary living expenses in Cuyahoga County at the fair market value rate, normally not to exceed three (3) months or until establishment of a permanent residence, if less than three (3) months from the start of employment.

Moving Household Belongings

The County may pay for moving expenses, including but not limited to, packing and crating, transportation, insurance of household goods, etc.

Transportation

The County may pay for transportation of the new employee's family to the Cuyahoga County area. Air travel must be at the lowest fare available or coach fare, whichever is less. Mileage will be reimbursed by the County at the IRS standard mileage rate for moving expenses in effect on the date of the move. Mileage reimbursement will be provided for a maximum of two (2) of the employee's vehicles.

Relocation Assistance Maximum and Repayment Period

The amount of relocation reimbursement for identifying permanent housing, temporary living expenses, moving household belongings, and transportation, including tax gross-up, shall not exceed a maximum dollar amount of \$15,000. The Director of Human Resources must provide final approval of any reimbursement of expenses. Employees who receive relocation reimbursement assistance and leaves the County for any reason other than death or disability separation within twenty-four (24) months of their original hire or rehire date with the County, will be required to repay 100 percent of all relocation assistance they received.

10 BENEFITS

10.01 Healthcare Benefits

Cuyahoga County is committed to promoting and sustaining the well-being of its employees and their families by providing quality and integrative health and wellness programs. Employees are offered comprehensive and competitive benefits programs which include, but are not limited to medical, prescription drug, dental, vision and life insurance and a wellness program.

Eligibility

Full-time regular and part-time benefits-eligible employees may receive healthcare benefits on the first day of the month following their date of hire, unless hired on the first day of the month, in which case benefits will be effective on the date of hire. Employees have thirty (30) days from their date of hire to make their benefit elections and to submit documentation regarding proof of relationship for their dependents. If an employee fails to make benefit elections within that time, the employee must either wait until the next open enrollment period or experience an IRS approved qualifying event to elect benefits.

If an employee is eligible for medical, dental or vision coverage under another County employee's policy (due to marriage or dependent eligibility), and that employee needs coverage, enrollment in one policy to cover both employees is required.

Dependent Eligibility

An employee's dependents may be covered by the County's healthcare benefits. Eligible dependents include an employee's legal spouse, children, step children, legally adopted children from the employee or the employee's spouse, or any children who, by court order, must be provided healthcare coverage by the employee. Healthcare benefits may also cover other dependent children if the employee has legal guardianship, as outlined in each of the County's group insurance carrier contracts. Healthcare benefits will be extended to dependent children up to age twenty-six (26), in accordance with federal law and the Ohio Department of Insurance guidelines. No employee or dependent can be covered by more than one County sponsored benefit plan.

Documentation showing proof of relationship is required to be submitted to Human Resources before dependents can be added to medical, dental and vision plans. Employees are bound by the deadlines designated by Human Resources to submit proof of relationship documentation. Acceptable documentation includes, but is not limited to a marriage certificate, and a bill (i.e., utility, credit card, insurance, etc.), recent tax record or other County-approved document showing the names of the employee and spouse and their address, and a certified birth certificate or adoption paperwork for a child.

If an employee is covered by healthcare coverage elsewhere, the employee can waive County coverage and may be entitled to receive a taxable opt-out payment.

Employee contributions for benefits are paid through a pre-tax payroll deduction.

By enrolling in a County benefit plan, an employee agrees to comply with eligibility rules for themselves and for their dependents in these plans. Enrolling ineligible dependents may be considered fraud. Employees may be subject to eligibility audits. An employee selected for an eligibility audit will be required to submit copies of documentation showing proof of relationship such as certified birth certificate(s), marriage certificate(s), income tax return(s) and/or other related documentation including affidavits.

Any person who, with intent to defraud or knowing that they are facilitating fraud, submits an application or files a claim containing a false or deceptive statement may be guilty of insurance fraud. Any employee found making false or deceptive statements may be subject to disciplinary action.

10.02 Open Enrollment and Qualifying Events for Mid-Year Enrollment in Benefits Coverage

Open Enrollment, which generally occurs in the last quarter of each year, is a time when employees can change their benefits enrollments and/or sign up for benefits. Annually, employees may be required to reenroll in benefits by the Open Enrollment deadline. Employees who fail to enroll by the Open Enrollment deadline will default to the medical plan designated by the County. Once an employee defaults, the plan cannot be changed unless an approved Internal Revenue Service (IRS) qualifying event occurs.

Employees are responsible for notifying Human Resources when a qualifying event occurs that may impact their dependents' coverage. All changes require the appropriate certification and documentation within thirty (30) days of the qualifying event. Employees may not be able to change their election until the next Open Enrollment period if appropriate notice is not received.

Examples of qualifying events that require mid-year election changes include:

- marital status (marriage, divorce, legal separation, death of spouse)
- number of dependents (birth, adoption, placement for adoption, legal guardianship, death)
- employment status of employee (i.e., part-time to full-time)
- dependent eligibility (Loss of student status, age limit)
- residence (dependent moves out of plan service area)
- loss or gain of employment by the employee's spouse or dependent
- significant cost or change in coverage of spouse or dependent under another employer plan
- loss of certain other health coverage (plans provided by governmental or educational institutions)
- Health Insurance Portability and Accountability Act (HIPAA) special enrollment right events
- judgement, decree or order resulting in change in legal custody (Qualified Medical Child Support Order)
- entitlement to Medicare or Medicaid

A qualifying event can affect the employee's single/family coverage entitlement for medical, prescription drugs, dental and vision, as well as impacting flexible spending accounts and life insurance. In the case of divorce, legal separation or annulment, employees must adjust their covered dependents by removing former spouses within thirty (30) days of divorce, legal separation or annulment. Copies of the first and

last pages of the court document must be submitted to Human Resources. Failure to adhere to this requirement may subject the employee to disciplinary action.

Divorced employees who are required by court order to pay benefits for their ex-spouse cannot cover the ex-spouse under County benefits. A separate policy must be purchased outside of County benefits.

10.03 Optional Employee Benefits

At the sole discretion of the County, certain additional optional employee benefits may be offered to employees, at the employee's expense, including but not limited to:

- Voluntary benefits, such as accident insurance, critical life events insurance, universal life insurance with long term care rider, and/or short-term disability
- Discounted public transportation bus/transit passes and parking

Employees will be notified of these benefits as they become available.

10.04 Wellness Program

The County encourages employees to actively participate in our wellness program. The wellness program is designed to assist employees and their families in making positive and healthy lifestyle choices with a focus on wellbeing. The wellness program has several components including health screenings, education, activities, weight management, newsletters, on-site fitness programs, financial education, healthy lifestyle incentives and more.

10.05 Flexible Spending Accounts (FSA)

Flexible Spending Accounts (FSA) are Internal Revenue Service (IRS) sanctioned benefits that provide employees the opportunity to have pre-tax amounts withdrawn from their paycheck and deposited into Medical, Dependent Care and/or Transportation FSA(s). These accounts are offered by the County as an additional benefit that allow employees to pay for related eligible expenses using pre-tax dollars.

Eligibility

Full-time regular and part-time benefits-eligible employees may enroll in flexible spending accounts during Open Enrollment. New employees can enroll within thirty (30) days from their date of hire or during Open Enrollment.

Medical FSA

The Medical FSA allows employees to use pre-tax dollars for many healthcare expenses not covered by medical and dental plans (i.e., copays, deductibles, orthodontia, etc.), vision care expenses for prescription eyeglasses and contact lenses, as well as prescription medication. Medical FSAs are pre-funded, allowing participants access to their annual elections on the first day of participation. For a complete list of eligible expenses, review IRS Publication 502 (Medical and Dental Expenses Expenses)

online at www.irs.gov. Enrollment in a Medical FSA is available upon hire or annually during Open Enrollment. Additionally, changes to enrollment in a Medical FSA can be made if the enrolled employee experiences an approved IRS qualifying event.

Dependent Care FSA

The Dependent Care FSA allows employees to use pre-tax dollars for charges that are incurred for the care of dependents. This includes expenses for eligible dependents under age thirteen (13) and may apply to a spouse or parent who resides with the employee and is physically or mentally incapable of self-care. For a complete list of eligible expenses, review IRS Publication 503 (Child and Dependent Care Expenses) online at www.irs.gov. Enrollment in a Dependent Care FSA is available upon hire or annually during Open Enrollment. Additionally, changes to enrollment in a Dependent Care FSA can be made if the enrolled employee experiences an approved IRS qualifying event.

Transportation (Parking, Transit, RTA, Bicycling) FSA

The Transportation FSA allows employees to use pre-tax dollars for charges that are incurred for work-related parking, mass transportation, and bicycling. For a complete list of eligible expenses, review IRS Publication 15-B (Employer's Tax Guide to Fringe Benefits) online at www.irs.gov.

There are strict deadlines associated with the submission of claims for withdrawal of funds from flexible spending accounts. Employees that fail to submit claims prior to the deadline will forfeit any remaining balances in their flexible spending accounts. More information regarding specific deadlines can be obtained by contacting the Department of Human Resources. Enrollment in a Transportation FSA is available at any time.

10.06 Retirement – Ohio Public Employee Retirement System

Employees are required to participate in the Ohio Public Employees Retirement System (OPERS). OPERS is the pension system utilized by the County instead of the Federal Social Security system. OPERS offers three retirement plans to its members: The Traditional Pension Plan (Defined Benefit), the Member-Directed Plan (Defined Contribution), and the Combined Plan (Combination of both Defined Benefit and Contribution). Additional information can be found on the OPERS website.

Contributions

The State of Ohio sets the employee and employer contribution rates. The employee's contribution rate is deducted from the gross bi-weekly salary/wage of the employee's pay. This amount is added to the County contribution rate and deposited into the employee's individual account with OPERS.

Tax-Deferred Basis

The Internal Revenue Code allows public employee pension plan contributions to be remitted on a tax-deferred basis. This means the employee pension contribution will not be included in taxable income when calculating federal and state income tax withholding. This yields an immediate tax savings to the employee.

City taxes will continue to be deducted from the employee's portion of the OPERS contribution. Also, the amount of pension contribution that is tax-deferred may be subject to federal and state taxation when it is withdrawn, either at retirement or upon separation of employment.

Other Information

Depending on the plan chosen, other benefits available may include survivor and disability benefits as well as healthcare benefits upon retirement.

OPERS service time continues to accrue during paid leaves of absence including Family Medical Leave. OPERS contributions are not remitted during an unpaid leave. Some leaves, such as military and workers' compensation may be eligible for free service credit. Credit for approved unpaid leaves may be purchased.

Information is available by contacting OPERS directly or at the OPERS website, www.opers.org.

10.07 Deferred Compensation

Employees can choose to contribute to a Deferred Compensation Plan. Employees may authorize a portion of their pay to be withheld and invested to supplement their future retirement income. Unless otherwise provided by law, money contributed to a Deferred Compensation Plan and any earnings on those contributions are not subject to federal or state income tax until those monies are paid to the employee, at the point of retirement or at the point of an approved withdrawal. Contact Human Resources for more information on Deferred Compensation Plans.

10.08 Employee Assistance Program

The County is committed to the health, safety, and welfare of its employees and their families. The County offers the EAP to provide employees and their eligible dependents with tools and resources to assist with personal matters. The EAP offers employees and their dependents short-term assessment and problem resolution by licensed counselors for a range of common concerns. The County funds the initial counseling sessions for employees and eligible dependents. The Employee Assistance Program (EAP) is designed to offer employees and their dependents assistance with issues including but not limited to:

- Addiction/Chemical Dependency
- Adolescent Issues & Guidance
- Chronic Physical Illness
- Depression/Anxiety
- Eating Disorders
- Family/Dependent Care Resources
- Financial Management Assistance
- Legal Consultation
- Major Life Events, including births, accidents and deaths

- Management Consultation
- Marital Conflict or Divorce
- Retirement Coaching
- Stress Management
- Wellness Advice
- Workplace Conflict Resolution

Following completion of the initial sessions, counselors may recommend a plan, which may include additional counseling and/or needed services. Subsequent services may be covered by the employee's medical provider and insurance.

Employees' current job and future advancement will not be jeopardized by using EAP services. The EAP provides strict confidentiality, following all federal and Ohio laws. As with all health-related documents, if EAP records are provided to the County, the EAP's records will be maintained in a confidential manner. The County may, upon recommendation or request by management, and when appropriate, refer employees to the EAP to assist with workplace and/or performance issues.

Participation in the EAP does not excuse employees from complying with the County's policies or from meeting job requirements during or after receiving assistance. Nor will participation prevent the County from taking corrective action for performance problems that occur before or after employees seek assistance through the plan.

Additional information regarding the EAP can be obtained from Human Resources.

10.09 Lactation Accommodation

Cuyahoga County supports and complies with all federal and Ohio laws and regulations by providing accommodations to employees who are nursing mothers who wish to express breast milk during the workday.

Break Time for Lactation Purposes

Employees who are nursing mothers can take reasonable, paid break periods during the workday to express breast milk. Employees should work with their supervisor to make reasonable efforts to minimize disruption to departmental operations.

Lactation Rooms

For the convenience and privacy of employees who are nursing mothers, the County has designated rooms at various facilities where a mother can express breast milk. These rooms will include reasonable and appropriate amenities.

Usage rules for these designated rooms and room amenities, will be posted at each facility. To ensure privacy, nursing mothers may reserve/schedule a location room at a time convenient to their needs. Each

facility handles the reservations/scheduling in a different manner. Employees should contact Human Resources for information on the reservations/scheduling process.

Resources

For more information about lactation accommodations, employees should contact Human Resources. Other information and resources for nursing mothers who have returned to work are available through the Employee Assistance Program.

10.10 Life Insurance & Accidental Death & Dismemberment (AD&D)

The County provides a basic term Life and Accidental Death and Dismemberment (AD&D) insurance benefit.

Eligibility

Full-time and part-time benefits-eligible employees are eligible to receive a basic term Life and Accidental Death and Dismemberment (AD&D) insurance benefit.

Employees are eligible to receive benefits on the first day of the month following their date of hire, unless hired on the first day of the month, in which case benefits will be effective on the date of hire. Employees may elect additional supplemental coverage.

The County provides Accidental Death and Dismemberment Insurance that will pay an amount if employees become disabled or die due to a non-work-related accident. The payment amount varies according to the type of disability or death.

The County's group term life insurance has two features allowing employees to take a portion or all of their life insurance with them under an individual arrangement with the County's insurance carrier:

- The "conversion provision" allows employees to convert the basic insured amount, if applicable to their group, and the supplemental coverage into a whole life policy.
- The "portability provision" allows employees to take the insured amount that is more than the basic coverage and create an individual term life policy at the same prevailing group premium. Changes in premium still occur at the same five-year (5) age intervals as when employed.

There are deadlines associated with both the "conversion" and "portability" provisions of the County's sponsored life insurance program.

10.11 Consolidated Omnibus Budget Reconciliation Act (COBRA)

The Consolidated Omnibus Budget Reconciliation Act (COBRA) provides qualified beneficiaries who lose their healthcare benefits the right to choose to continue those benefits for limited periods due to qualifying life events. Qualified beneficiaries may be required to pay the entire premium for coverage, in addition to an administrative fee.

Qualified Beneficiaries

A qualified beneficiary generally is an individual covered by a group health plan on the day before a qualifying event for someone who is an employee, the employee's spouse or an employee's dependent child. In addition, any child born to or placed for adoption with a covered employee during the period of COBRA coverage is considered a qualified beneficiary.

Qualifying Life Events

Qualifying life events are certain events that would cause an individual to become eligible for COBRA. The type of qualifying life event will determine who the qualified beneficiaries are and the length of time under which continuation of healthcare coverage will be provided under COBRA.

Qualifying Life Events for Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in the number of hours of employment (including military leave of absence)

Qualifying Life Events for Spouses

- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee (including military leave of absence)
- Covered employee becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Qualifying Life Events for Dependent Children

- Loss of dependent child status under the healthcare plan rules
- Voluntary or involuntary termination of the covered employee's employment for any reason other than gross misconduct
- Reduction in the hours worked by the covered employee (including military leave of absence)
- Covered employee becoming entitled to Medicare
- Divorce or legal separation of the covered employee
- Death of the covered employee

Under COBRA, employees and/or their qualified beneficiaries must notify Human Resources of a divorce, legal separation or a child losing dependent status under the plan within sixty (60) days of the qualifying event.

The County provides employees with written notice of their rights under COBRA when they become eligible for coverage under the health insurance plan, as well as when a qualifying event occurs. Employees should contact Human Resources with any questions.

11 TIME OFF AND LEAVES OF ABSENCE

All time off and leave is subject to prior approval, unless otherwise noted. Employees must request leave using the procedures and forms outlined by Human Resources and their department.

Every request for leave will be given fair consideration in accordance with the following procedural guidelines and the staffing needs of the employee's department. Any leave approved based on false information is invalid and any approved leave shall terminate if the reason for granting the leave is no longer applicable. Moreover, employees providing false statements or documentation may be subject to disciplinary action.

Employees are solely responsible to ensure that they have adequate vacation leave, sick leave and/or compensatory/exchange time when requesting and/or taking paid leave.

11.01 Paid Vacation Leave

The County provides paid vacation leave to full-time and part-time benefits-eligible employees. Vacation accrual is based on years of service and begins on the first day of employment with the County. Employees who have previous service with any political subdivision of the State of Ohio may receive service credit for vacation accrual. To receive credit, employees must provide Human Resources with a *service credit verification form*, completed by their former employer(s), within sixty (60) days of their date of hire. Forms received after sixty (60) days will be accepted; however, any service accrual granted will start from the beginning of the pay period in which the form is received. The service credit verification form is available online, or a paper copy can be requested from Human Resources.

Eligible full-time employees in active pay status accrue vacation each pay period based on the following years of service:

Years of Service	Biweekly Accrual Rate	Yearly Accrual Total	Maximum Accrual Allowance
Less than 5	3.1 hours	80 hours/10 days	240 hours/30 days
5 to less than 15	4.6 hours	120 hours/15 days	360 hours/45 days
15 to less than 25	6.2 hours	160 hours/20 days	480 hours/60 days
25 or more	7.7 hours	200 hours/25 days	600 hours/75 days

Eligible part-time employees in active pay status accrue vacation each pay period based on the following years of service:

Years of Service	Biweekly Accrual Rate	Yearly Accrual Total	Maximum Accrual Allowance
Less than 5	2.47 hours	64 hours/8 days	192 hours/24 days
5 to less than 15	3.70 hours	96 hours/12 days	288 hours/36 days
15 to less than 25	4.93 hours	128 hours/16 days	384 hours/48 days
25 or more	6.16 hours	160 hours/20 days	480 hours/60 days

Once an employee’s vacation leave balance reaches the maximum accrual allowance, no further vacation leave will accrue until the balance drops below the maximum amount.

There is no waiting period after an employee is hired or promoted before vacation time can be used. Employees must have their supervisor’s approval to use vacation leave.

An employee separating from the County is eligible for payout of their accrued vacation leave balance, minus any fees, charges or outstanding financial obligations the employee may have to the County.

11.02 Paid Holidays

The County provides full-time and part-time benefits-eligible employees with paid time off on the following, recognized holidays:

- New Year’s Day
- Martin Luther King Day
- President’s Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas Day

Eligible employees who work on a County-recognized holiday and are in a paid status on the regular work day immediately preceding or following a holiday are entitled to holiday pay for their regularly scheduled work hours. If the employee’s work schedule is other than Monday through Friday, the employee is entitled to a floating day off, to be used within thirty (30) calendar days and with prior approval.

An employee in a non-exempt position who is required to work on a County holiday shall be entitled to regular pay in addition to holiday premium pay at one and one-half (1.5) times for each hour worked. Exempt employees who are required to work on a County holiday will receive regular pay in addition to holiday premium pay at their regular rates for each hour worked, or exchange time. Normally, the County will credit the employee with exchange time. A department director may request, based on compelling or extraordinary operational needs, that the Director of Human Resources approve holiday premium pay for an employee or group of employees in lieu of exchange time.

Part-time benefits-eligible employees are entitled to holiday pay for their scheduled hours if the recognized holiday falls on their regularly scheduled workday.

Part-time benefit non-eligible employees and temporary employees are not entitled to holiday pay or premium holiday pay even if they work on a recognized holiday.

11.03 Paid Sick Leave

The County provides paid sick leave to full-time and part-time benefits-eligible employees. Sick leave can be used for the following reasons:

- illness, injury, or pregnancy-related condition of the employee or the employee's immediate family member
- exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees
- death of an employee's immediate family member (*in conjunction with the bereavement policy*)
- healthcare appointment with an appropriate healthcare practitioner for the employee, or the employee's immediate family member where the employee's presence is reasonably necessary

For purposes of this section, immediate family member includes the employee's spouse, child, step-child, parent, parent-in-law, grandparent, sibling, brother- or sister-in-law, or persons to whom the employee stands in loco parentis, or any other relative residing with the employee (proof of residency required).

Sick leave accrues at the rate of 0.0575 hours for each hour of service. Employees must be on active pay status to accrue sick leave. Sick leave is used in a minimum of one (1) minute increments. Sick leave payment shall not exceed the normal, scheduled workday earnings.

Employees must follow their department's guidelines regarding appropriate notification for using sick leave. When the need for leave is foreseeable, the employee must notify their supervisor by making a leave request in advance. In unforeseen circumstances, an employee must follow their department guidelines regarding notification.

The employee shall record their absence in the applicable timekeeping system. If the pay period ends before the employee returns to work, the employee's supervisor shall record the employee's absence.

The County reserves the right to require documentation to support the employee's sick leave request (i.e., medical certification) for all absences of three (3) or more days, or when the County has a reasonable suspicion that sick leave is being abused. Abuse of sick leave may subject the employee to disciplinary action.

An employee's supervisor must notify Human Resources anytime an employee is out on sick leave for 3 consecutive work days to ensure the employee receives information regarding FMLA.

Unused Sick Leave

Upon retirement, an employee with ten (10) or more years of service shall be paid for one-fourth (1/4) of the accrued, unused sick leave balance up to a maximum of two-hundred forty (240) hours. Payment for unused sick leave is not available under any other circumstance.

Sick Leave Credit

Employees who have a balance of sick leave earned while employed by another political subdivision of the State of Ohio within the past ten (10) years may have the unused sick leave balance credited to their current sick leave balance with the County. Employees can contact Human Resources for more information on how to receive this credit.

11.04 Paid Bereavement Leave

All full-time employees who experience the loss of a spouse, mother, father, step-parent, child, step-child, or persons to whom they stand in loco parentis or who stood in loco parentis to them, will be granted up to five (5) days of paid bereavement leave.

Full-time employees are entitled to up to three (3) days of paid bereavement leave for the loss of a brother, sister, half-brother, half-sister, step-brother, step-sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandchild, or any relative residing with the employee (proof of residency required).

Full-time employees are entitled to one (1) day of paid bereavement leave for the loss of an uncle, aunt, first cousin, niece or nephew.

Part-time benefits-eligible employees who experience the loss of a spouse, mother, father, step-parent, child, step-child, or persons to whom they stand in loco parentis or who stood in loco parentis to them, will be granted up to three (3) days of paid bereavement leave.

To be eligible for bereavement leave, the employee must provide appropriate documentation supporting the request for leave (e.g., obituary, funeral/memorial service program, death certificate, etc.). Bereavement leave must be used within six (6) months of the loss. Bereavement leave may be taken as a continuous period or on an intermittent basis. If an employee needs additional time away from work, the employee may request to use accrued sick leave, vacation leave, compensatory and/or exchange

time with the approval of their supervisor. Once these paid leaves are depleted, employees may request an unpaid personal leave of absence.

11.05 Paid Legal Proceedings Leave

Employees may receive legal proceedings leave when they are:

- summoned for jury duty by a court of competent jurisdiction
- subpoenaed to attend a court proceeding for a matter that is work-related and employee acted within the proper scope of their employment
- participating in any hearing of the PRC as the appellant, a summoned witness or at the request of the County

To receive this leave, employees shall submit, to their supervisor, a copy of the summons or request as soon as the notice is received.

An employee out on legal proceedings leave is required to immediately report to work after they are released, unless there would be less than one (1) hour left in the employee's regularly scheduled work day upon reporting to work. For example, an employee on an 8:30 – 4:30 schedule who is released from jury duty at 1 p.m. is required to immediately report to work. If the employee is released from jury duty at 4 p.m., they would not be required to report to work.

The County will compensate an employee on legal proceedings leave at their normal rate of pay, provided that the employee, upon receipt of any compensation paid by the court, submits the compensation to the County. Checks received in the name of the employee must be endorsed and provided to their supervisor for deposit to the County Treasurer. The employee, however, shall not be granted any mileage, travel or other related expenses.

11.06 Unpaid Personal Leave of Absence

Full-time and part-time benefits-eligible employees may apply for an unpaid personal leave of absence. A personal leave involves a temporary separation from active pay status. Employees may apply for a personal leave of absence without pay for a maximum of one (1) month, unless approved for a longer period by the Director of Human Resources.

Job performance, absenteeism and departmental requirements may be considered before a request is approved. Approval for leave is within the sole discretion of County management. Leave must not unduly disrupt the department's normal operations.

Employees requesting a personal leave must complete a *request for unpaid leave* form. The request must be submitted to the employee's supervisor at least sixty (60) days prior to the beginning of the leave, or as soon as possible when extenuating circumstances make it impossible to give at least 60 days'

notice. The request for unpaid leave form is available online, or a paper copy can be requested from Human Resources.

If the employee's supervisor approves the request, then request must then be forwarded to the employee's department director and Human Resources for approval, in that order.

An employee must exhaust all applicable paid leave before beginning a personal leave of absence. For example, an employee requesting an unpaid leave of absence to campaign for an elected office would first have to exhaust all vacation and exchange/compensatory time but would not have to exhaust their sick leave. The effective date of the personal leave will be the employee's first non-working day following the exhaustion of any of the employee's applicable, available paid leave balances (i.e., sick and vacation leave, compensatory and exchange time).

A personal leave is a temporary separation from active pay status. Sick and vacation leave and OPERS service time do not accrue during the leave. However, an employee on personal leave may continue their voluntary benefits, at their own expense. To continue benefits, a *benefits continuation form* must be completed and submitted to Human Resources prior to commencement of the personal leave of absence. The benefits continuation form is available online, or a paper copy can be requested from Human Resources.

If the employee chooses to continue their benefits, the employee must pay for coverage by prepaying, in full, their contributions for the duration of time they will be on a personal leave of absence. Payment must be received by the end of the month prior to the month for which the leave has been approved. If the employee does not pay for their contribution for their benefits while on a personal leave of absence, benefits will be cancelled.

Any extensions for personal leaves of absence beyond the maximum one (1) month period will be considered on a case-by-case basis by the department director and Human Resources.

Failure to return to work upon the expiration of the personal leave, without reasonable explanation, may subject the employee to disciplinary action. An employee who fails to return to service from a personal leave and who is subsequently terminated or voluntarily resigns from service shall not receive service credit for the time spent on personal leave. In this case, the employee's termination date will be the start date of the personal leave.

An employee may be permitted to return to work prior to the originally scheduled expiration of the personal leave if the earlier return date is agreed to by both the employee and Human Resources.

11.07 Family Medical Leave

The Family and Medical Leave Act (FMLA) and its amendments provide employees with the right to take job-protected unpaid time off for various identified reasons.

Employees with at least one (1) year of service who have worked at least 1,250 hours in the previous year are eligible, and can request up to twelve (12) workweeks (480 hours) of Family Medical Leave (FML), during a 12-month period, for one of the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth
- The birth or placement of a child for adoption or foster care
- To care for an immediate family member (as defined by this procedure to only include spouse, child or parent) with a serious health condition
- To take medical leave when employees are unable to work because of their own serious health condition

Employees may take up to twelve (12) weeks of approved leave within a rolling twelve (12) month period. The twelve (12) month period is measured backward from the commencement date of FML, during this time the employee must have worked 1,250 hours.

If two married employees both work for the County and each wants to take leave for the birth of a child, adoption or placement with the employee of a child in foster care, or to care for a parent with a serious health condition, the employees may take only a combined total of twelve (12) weeks of leave.

A serious health condition is defined as a condition that requires in-patient care at a hospital, hospice or residential medical care facility, or a condition that requires continuing care by a licensed healthcare provider as defined in the FMLA. In general, a period of incapacity of more than three (3) days, and two (2) visits to a healthcare provider within thirty (30) days (the first within seven [7] days of the onset of incapacity), would be considered a serious health condition. A serious health condition leaves employee unable to perform their job. Questions about what health conditions are covered under this procedural guideline should be directed to Human Resources.

Employees must use all accumulated paid time off allowances during their FML. FML that exceeds an employee's accumulated paid time off allowance is unpaid, and employees are responsible for financially arranging to continue their benefit coverage, at their expense, during the absence. For serious health conditions, employees must provide a healthcare provider's verification of the medical need for leave. On return from FML, employees are placed in their former or comparable jobs.

Leave Categories

- Continuous Leave: Employees may take leave in a continuous block of time.
- Intermittent Leave: Employees may take leave in separate blocks of time due to a single illness or injury, rather than for one continuous period and may include periods of leave from an hour or more (with appropriate notice for non-emergency circumstances such as regular treatment visits, etc.) to several weeks. Examples of intermittent leave would include leave taken for chemotherapy that includes time taken on an occasional basis for a medical appointment or leave taken several days at a time spread over a period of six (6) months. Intermittent leave increments are limited to a minimum of one (1) hour and are calculated in hours in light of employees' regular work schedule.

- **Reduced Leave Schedule:** Employees may take leave that reduces their usual number of working hours per workweek, or hours per workday. In other words, a reduced leave schedule is a change in the employee's schedule for a period, normally from full-time to part-time. Such a schedule reduction might occur, for example, when employees work part-time after the birth of a child or employees recovering from a serious health condition cannot work a full-time schedule. The difference between the employee's reduced schedule and regular schedule will be charged against the employee's available FML weeks/hours. Documentation of medical necessity of reduced schedule is required.

Military Family Leave Entitlement

Eligible employees with a spouse, child or parent on active duty or called to active duty status in the National Guard or Armed Forces Reserves in support of a contingency operation may use their 12-week leave entitlements to address qualifying exigencies. Qualifying exigencies may include attending military events, arranging for alternative childcare, addressing financial and legal arrangements, attending counseling sessions and attending post-deployment reintegration briefings.

FML also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered service member during a single 12-month period. This type of Military Family Leave is available only once. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Armed Forces Reserves, who has a serious injury or illness incurred in the line of duty on active duty for which the service member is undergoing medical treatment, recuperation or therapy, is in outpatient status or on the temporary disability retired list.

Applying for Leave

Employees must contact Human Resources to initiate FML and must provide Human Resources with a thirty (30) day notice, if the leave is foreseeable. The County reserves the right to require an employee delay the start of their FML if thirty (30) days' advance notice is not provided when the need for FML is foreseeable. If the leave is not foreseeable, notice must be given as soon as possible.

Certification and Recertification of Serious Health Conditions

The County will ask for certification of the employee's serious health condition or that of a family member. Employees must respond to such a request within fifteen (15) days or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification may be provided by using the Medical Certification form.

Certification of a serious health condition will include the following:

- The date when the condition began
- The condition's expected duration
- The medical facts regarding the condition; and
- A brief statement of treatment

For employee's serious health condition, a statement noting the employee is unable to perform work of any kind or unable to perform the essential functions of the job. For a seriously ill family member, a statement indicating assistance is required, what that assistance is and/or that the employee's presence would be beneficial.

The County reserves the right to ask for a second opinion and will pay for employees to get a certification from a second healthcare provider selected by the County.

If necessary to resolve a conflict between the original certification and the second opinion, the County will require the opinion of a third healthcare provider. The County's healthcare provider and the employee's healthcare provider will jointly select the third healthcare provider, and the County will pay for that opinion. The third opinion will be final.

The County may request recertification of a chronic or episodic serious health condition requiring intermittent leave or reduced schedule every six (6) months, or less, as indicated by the healthcare provider's certification.

No additional opinions or re-certifications will be requested in the case of leave to care for a military service member, in conformance with the regulations.

Status and Benefits While on FML

While on paid FML, the County will continue employees' benefit coverage at the same level and under the same conditions as if they had continued to work. All available paid leave must be used and charged against the employee's FML before unpaid FML will be initiated. The employee's accrued time must be used in the following order: Sick, Compensatory/Exchange, Vacation. Sick and vacation leave will accrue during the employee's paid FML as it normally would; however, the time accrued during the leave may not be used until the employee returns to work. All usual payroll deductions will be taken during the employee's paid FML.

While on unpaid FML, if employees choose to continue their benefit coverage, employees will be responsible for making payment arrangements for the employee paid portion of benefits for the duration of unpaid FML. If for any reason employees allow their benefit coverage to lapse while on unpaid FML, benefits will be cancelled. Vacation and sick leave do not accrue during unpaid FML.

Leave Donation

Employees may donate accrued sick or vacation leave to a fellow employee who has a serious health condition as defined under the FMLA and are in critical need of time off due to the condition. Donation of leave time is strictly voluntary. FML leave will run concurrently with the donated leave time.

An employee may receive donated leave provided that the employee:

- is first approved for FML leave that removes them from the workplace for fifteen (15) consecutive work days for their own serious health condition. Employees on intermittent FML leave do not qualify to participate in the program. Any unused donated leave will be returned to the employee
- has exhausted all sick leave, vacation leave and compensatory/exchange time
- has not had any discipline for attendance within the previous year

An employee may donate accrued sick or vacation leave provided the donating employee:

- voluntarily elects to donate leave to a designated, approved recipient, and does so with the understanding that donated leave will not be returned
- retains a sick balance of at least one hundred twenty (120) hours after their donation
- is in active pay status at the time their sick time is to be used

Employees interested in receiving donated time should contact Human Resources. Employees who qualify may receive leave through the Leave Donation Program for up to twelve (12) weeks.

An employee may request donation leave from other employees or may designate a non-supervisory employee to make such a request on their behalf. Supervisors and managers may not solicit leave donations for or from any employee in their chain of command.

When an employee has exhausted all donated time, they may be placed on an unpaid extended sick/medical leave or may be separated in accordance with County policy or their CBA.

Returning from FML

Most employees who take leave under this procedural guideline will be able to return to the same job or a job with equivalent status, pay, benefits, and other employment terms and conditions. The job will be the same or one that requires substantially equivalent skill, effort, responsibility and authority. However, employees' rights to reinstatement cease if the employment relationship ends (e.g. loss of job due to reduction in force while on leave or situations where the organization learns of circumstances that would otherwise result in the termination of employment). The County may exempt certain highly-compensated employees from this requirement and not return them to the same or similar position.

Before employees may return to work from a leave of absence, they may be required to present to the County a medical certificate from their healthcare provider indicating any restrictions on their ability to perform the essential functions of the job to which they are returning. For scheduling purposes, this release must be received no less than two (2) business days before the employee's anticipated return date. The County may also require a physical examination at its expense to determine fitness for duty.

All family and medical leave taken, for whatever reason (including leaves for workplace injury), will be counted against employees' available leave of absence period under the FMLA.

11.08 Unpaid Medical Leave

Employees who are not eligible for FML (see section 11.07), or who have exhausted their FML, may be granted unpaid medical leave of absence because of personal illness or injury that disables the employee from performing the essential functions of their job (including medical conditions related to pregnancy or childbirth) or an illness/injury of an employee's child (including a child for whom the employee is the legal guardian), spouse, or parent, but not including the employee's parents in-law. The County reserves the right to require medical or other relevant documentation to justify the leave.

Unpaid medical leave may be granted for up to a total of twelve (12) weeks within a rolling twelve (12) month period. The twelve (12) month period is measured backward from the commencement date of unpaid medical leave. Unpaid medical leave must be taken in continuous blocks of time of at least five (5) consecutive workdays.

To be eligible for unpaid medical leave, any accumulated paid leave must be exhausted, and the employee must comply with their department's call-off procedure. The employee must demonstrate that the probable length of absence will not exceed twelve (12) weeks and the employee must present Human Resources at the time that the request is made with sufficient medical documentation, acceptable to the County, demonstrating that the employee is unable to perform the essential functions of their position and containing the probable period for which the employee will be unable to perform the essential functions of their position. If the need for leave is for the employee's covered family member, the documentation must demonstrate that the employee is needed to care for the covered family member.

If an employee takes unpaid medical leave to care for a covered family member and does not return to work within twelve (12) weeks, the employee shall be considered to have voluntarily resigned. Such employees shall have no right to reinstatement but remain eligible for future employment through the County's regular hiring process. The County may initiate the disability separation process (see section 6.12) for an employee who takes unpaid medical leave for their own medical condition and does not return to work within twelve (12) weeks, consistent with the ADA or other applicable law.

When the County has a reasonable belief that an employee who has been on extended unpaid medical leave may be unable to perform the essential functions of their position, with or without reasonable accommodation, the County may require the employee to submit to and satisfactorily pass a medical examination before being permitted to return to work. The purpose of the medical examination shall be to determine if they can perform the essential functions of their position, with or without reasonable accommodation, consistent with the ADA or other applicable law. In the event of a difference of opinion as to the employee's physical status between the employee's physician and the County's physician the employee shall be referred to a mutually agreed upon physician whose opinion shall be binding.

11.09 Paid Parental Leave

The County offers Paid Parental Leave to employees, due to the birth of an employee's child or the placement within an employee's home of an adopted child. Parental leave gives parents additional flexibility and time to bond with their new child, adjust to their new family situation and balance their work obligations.

Paid parental leave is available to full-time and part-time benefits-eligible employees who are FML eligible (see section 11.07). An employee is FML eligible when they have at least one (1) year of service with the County and have worked at least 1,250 hours in the previous year.

Paid parental leave is two (2) continuous weeks of paid leave, which will run concurrently with FML, and is in addition to any other paid leave that may be available for the employee to use while on FML.

Paid parental leave will be based on an employee's normal rate of pay (based on full-time equivalency), not including premiums or scheduled overtime. Part-time benefits-eligible employees will receive two (2) continuous weeks of paid leave, with pay based on the average number of hours worked during the previous year.

Vacation and sick leave continue to accrue during paid parental leave. The County will continue to pay its share of the cost of an eligible employee's group health insurance during paid parental leave. The eligible employee's share of the premium will be deducted from the eligible employee's pay in accordance with normal practices.

Paid parental leave must be utilized within twelve (12) weeks following the birth or adoption of a child. Paid parental leave will not reduce eligibility for other types of paid and unpaid leaves such as sick leave, vacation, unpaid personal leave and holiday. Bargaining employees should review their CBA (if applicable) and contact Human Resources.

An employee is eligible for paid parental leave once within a rolling twelve (12) month period. The fact that a multiple birth or adoption occurs (for example, the birth or adoption of twins) does not increase the length of paid parental leave granted for that event. If both parents are eligible employees, each will be able to utilize the appropriate provisions of this procedural guideline.

Documentation

Eligible employees must submit a completed *leave request form* to Human Resources at least thirty (30) days prior to the anticipated date of the leave. To the extent the 30-day notice is not possible; employees must submit a leave request form to Human Resources as soon as possible.

Eligible employees will be required to furnish appropriate medical documentation for the birth of a child. If applicable, the medical certification requirements for FML will govern (see section 11.07). The medical documentation must be completed and signed by the individual's health care provider.

Eligible employees will be required to furnish appropriate adoption documentation, such as a letter from an adoption agency, or from the attorney in cases of private adoptions.

11.10 Military Leave

The County supports employees who volunteer or are called to active military service. Military leaves are governed by federal and Ohio law and will be treated in accordance with the Uniform Services Employment and Reemployment Rights Act (USERRA).

Paid Military Leave

Under Ohio law, employees who are members are the Ohio National Guard, the Ohio defense corps, the Ohio naval militia, or any reserve component of the United States armed forces are entitled to a paid leave of absence not to exceed twenty-two (22) workdays in any one (1) calendar year. The leave can be continuous or intermittent.

Unpaid Military Leave

Under federal law, employees who are members of the United States armed forces shall be granted up to five (5) years of unpaid military leave with reinstatement rights to serve in the armed forces. The five (5) year maximum may be extended in certain cases, consistent with applicable law.

An employee on unpaid military leave of thirty (30) days or less may continue their healthcare benefits by directly paying the employee's portion of their health insurance premium. An employee on unpaid military leave longer than thirty (30) days will be provided information on continuation of benefits for up to twenty-four (24) months at the employee's expense (see section 10.11).

An employee on unpaid military leave may use vacation leave or exchange/compensatory time to cover part or all of their military leave.

An employee returning from unpaid military leave must apply for reinstatement within the timeframe established by applicable law. The County will promptly reinstate the employee in the position they would have attained had they not been on unpaid military leave and with the same seniority, status, and pay, as well as other rights and benefits determined by seniority.

Requesting Paid or Unpaid Military Leave

An employee seeking military leave (paid or unpaid) should contact Human Resources as soon as possible. Any supervisor or department director who becomes aware of an employee's possible need for military leave should immediately notify Human Resources.

12 MISCELLANEOUS

12.01 Personnel Information and Privacy

The County is committed to treating personal information about employees as sensitive and respects the need to protect each employee's privacy. Human Resources manages and maintains official personnel records for all County employees. Personnel records may be in the form of paper, digital, or microfiche.

Access

Personnel files are stored in secured areas (e.g., within locked file cabinets, on secure computer servers). Authorized supervisors may review their employees' personnel files, in coordination with Human Resources. Employees are granted access to their own personnel file and records in accordance with the procedures outlined herein.

Medical information about employees is maintained separately from other records. Access to medical information is restricted to appropriate Human Resources and Law Department employees on a need-to-know basis.

Handling Personnel Information

If an individual requests copies of information in an employee's personnel file, Human Resources will make copies of the information and will work with the appropriate authority to distribute the copies to the requesting party. Copies may be redacted, consistent with applicable law. When practical, Human Resources will notify an employee when information from their personnel file is provided to a third party.

Questions or issues about the application or enforcement of these security measures should be addressed to the Director of Human Resources and/or the Director of Law.

Employees' Access to Information

Employees may review information contained in their personnel file during non-working time (e.g., breaks, lunch, before or after work). All reasonable and timely requests for access to personal information will be honored on employees' own time (e.g., paid time off).

Employees interested in reviewing the contents of their personnel file shall contact Human Resources and provide at least two (2) working days' notice of their desire to schedule a mutually convenient time for an appointment.

Accuracy of Information

To ensure that personnel files are up to date and contain accurate, complete information, employees must notify Human Resources of any change in their personal information. It is the responsibility of employees to notify Human Resources of any changes in the following, within one (1) month of the event, by making updates in Employee Self Service:

- Legal name
- Telephone number(s)
- Home address
- Marital status
- Number of dependents
- Beneficiary designations
- Scholastic achievements, other awards or certifications
- Emergency contacts

It is in the employee's interest to keep records of acquired new skills or experience, if the employee wants those records to be reviewed for any job advancements.

In addition, the County may initiate personal information updates by requiring all employees to review and verify their personal information on file.

Additions, Deletions or Changes

Employees may request corrections or deletions of information in their personnel records, as appropriate, to Human Resources. Human Resources ordinarily checks with the department director where the record originated, if applicable, and with the Director of Law as to any public record restrictions. Human Resources will notify the employee, in writing, as to whether the requested amendment will be made. A copy of the written response will be included in the employee's record.

12.02 Recording of Conversations

The County has established the following guidelines for the recording of conversations concerning County business. This policy shall not apply to public meetings or any other meeting or forum involving the discussion of County business that is open to members of the public, including, but not limited to, public hearings. Any violation of this policy could result in disciplinary action.

County employees shall not record any conversations involving the discussion of County business unless at least one of the following applies:

- The Director of Law Director or designee authorizes in writing an employee to record a conversation; or
- The department director, with the approval of the Director of Law, authorizes recording as a standard course of business in the interest of the public (e.g., all telephone calls to the 696-KIDS hotline and 911 calls are recorded).

12.03 Workplace Search

The County has the right to conduct investigations pertaining to security or work-related matters. During these investigations, authorized personnel may request that employees open for inspection any package, bag, container or vehicle brought into or taken from the County premises. In addition, work areas (e.g., desks, files, computers, cabinets and lockers) are County property and may be subject to search when the County reasonably suspects a policy violation has occurred. Failure to cooperate with an investigation or search is a violation of County guidelines and the employee may be subject to disciplinary action.

This does not apply to inspections of work areas to locate documents or information when an employee is unavailable. The County reserves the right to conduct such inspections and retrieve documents, other work materials, information, etc., based upon operational needs.

A supervisor, department director or Human Resources may question employees and/or search any personal property or any area from which the County conducts business, including any/all spaces, facilities and/or vehicles leased by the County, when there are reasonable grounds for suspecting that the search will enable the County to:

- safeguard another employee's safety or property
- safeguard a County customer or their property
- protect County property from destruction and/or theft
- investigate possible violations of County policy
- carry out an internal workplace harassment/discrimination investigation

Some storage equipment (e.g., cabinets, lockers) may be locked to secure its contents from theft or damage. The County reserves the right to search locked storage equipment when there are reasonable grounds to do so. County management will obtain authorization from either Human Resources or Protective Services prior to conducting a workplace search.

In the event a search is initiated the following procedures will be followed:

- The employee, a supervisor, Protective Services or law enforcement, and a union steward/representative (for bargaining employees) should be notified of and present for a search. Lack of availability of any of the above will not delay or prevent a search.
- If the employee is not present during a search, Protective Services or law enforcement will be instructed to remove any locking device, if one is present. The employee can receive reimbursement for their personal lock, at a reasonable cost, if applicable. If the employee is present, Protective Services or law enforcement will direct the employee to open/grant access to the area. If the employee refuses to grant access, the lock will be removed, at the employee's expense. An employee may be responsible for any damage occurring from gaining access to areas secured by the employee.

- All property obtained from a search will be inventoried. After the inventory is complete, all observers will sign the inventory sheet. Items identified to be inappropriate for the workplace will be confiscated. The following are some items that are prohibited in the workplace:
 - drugs (without prescription in employee's name)
 - alcohol
 - guns and other weapons prohibited by law
 - pornography

This list is not exhaustive. If any of the items removed from County property violate the law, law enforcement will be contacted. Inventoried items that are confiscated may be returned to the owner for removal from County premises or in the case of County property, returned to its appropriate area(s). Employees may be subject to disciplinary action for inappropriate items brought onto County property.

County employees may periodically be required to submit to a search using a metal detector.

12.04 Health Insurance Portability and Accountability Act (HIPAA)

On occasion, the County receives Personal Health Information (PHI) relative to an employee's employment. Under the Health Insurance Portability and Accountability Act (HIPAA), the originator of the information is required to advise affected employees of how this information may be used or disclosed and how employees can receive a copy of the information being sent. The actual Privacy Notice can be obtained from the Human Resources Department and/or on the County's Intranet web page.

Types of Personal Health Information Received by the County

The following list, though not all-inclusive, represents the type of information received by the County and which may be shared as requested under Ohio law, such as through a public record request or subpoena:

- Pre-employment clearances
- Workers' Compensation documentation
- Return-to-Work testing results
- Fit-for-Duty exam results
- Substance-testing clearances
- FMLA medical certifications
- Disability accommodation documentation

Retention of Personal Health Information

The County takes reasonable precautions to protect employees' personal health information. Information received that contains genetic information or is otherwise not applicable to one's employment, benefits or required by federal, state or local law is either redacted or destroyed, consistent with the County's records retention policy.

12.06 Furlough Programs

The County may establish mandatory or furlough programs in accordance with applicable law. A furlough program involves the taking of unpaid furlough days by County employees.

12.07 Professional Licenses

Any County employee who is required, as a condition of employment, to possess and maintain in good standing, a professional license (e.g., social worker license, license to practice law, etc.) shall immediately report any change in the employee's licensure status to their department management.

12.08 Other Policies

The County may adopt other policies that effect employees (e.g., public records policy, travel policy, electronic communications and equipment policy). Employees are expected to know and comply with policies that apply to their employment and may be subject to disciplinary action for failure to follow these policies.

County Council of Cuyahoga County, Ohio

Ordinance No. O2018-0002

Sponsored by: County Executive Budish/Department of Consumer Affairs	An Ordinance enacting Title 13, Chapter 1301 of the Cuyahoga County Code to establish the Cuyahoga County Consumer Protection Code; amending Section 202.16(A)(7) of the Cuyahoga County Code to clarify the duties and responsibilities of the Department of Consumer Affairs/Division of Consumer Protection.
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WHEREAS, Council deems it necessary to adopt regulations governing the County's Department of Consumer Affairs; and

WHEREAS, the need to promote honest and fair business practices; and the protection of the citizens of and visitors to Cuyahoga County from unfair and deceptive practices and acts are in the best interest of the public;

WHEREAS, the public health, safety and welfare of the residents of the County will best be served by enacting a Cuyahoga County Consumer Protection Code that provides for enforcement by the Department of Consumer Affairs through many means.

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

SECTION 1. Title 13, Chapter 1301 of the Cuyahoga County Code is hereby enacted as follows:

Title 13: Commercial Regulation

Chapter 1301 Consumer Protection

Section 1301.01: Definitions

As used in the Chapter 1301:

- (A) "Appliances" shall mean any device or instrument operated by electricity, gas or otherwise, and designed for personal, family or household purposes.
- (B) "Assurance of Voluntary Compliance" shall mean a written agreement resolving or otherwise disposing of issues raised by a Complaint and which is entered into by the parties and the Director.

- (C) “Complaint” shall mean any written statement that alleges a violation of this Chapter, Chapter 1302, the Ohio Revised Code, including sections 1345.02 and 1345.03, the Ohio Administrative Code, and other applicable consumer protection laws as amended.
- (D) “Consumer” shall mean a person who engages in a consumer transaction with a supplier.
- (E) “Consumer Goods” shall mean goods purchased, leased, or rented primarily for personal, family, or household purposes, including courses of instruction or training regardless of the purpose for which they are taken.
- (F) “Credit and Debits” shall mean credit or debits which are primarily for personal, family, or household use.
- (G) “Consumer Transaction” shall mean a sale, lease, assignment, award by chance, or other transfer of an item of goods, a service, a franchise, or an intangible, to an individual for purposes that are primarily personal, family, or household, or solicitation to supply any of these things. Consumer Transaction does not include transactions between persons defined in section 4905.03 and 5725.01 of the Ohio Revised Code, and their customers, except for transactions involving a loan made pursuant to sections 1321.35 through 1321.48 of the Ohio Revised Code and transactions in connection with residential mortgages between loan officers, mortgage brokers, or nonbank mortgage lenders and their customers; transactions involving a home construction service contract as defined in section 4722.01 of the Ohio Revised Code; transactions between certified public accountants or public accountants and their clients; transactions between attorneys, physicians, or dentists and their clients or patients; and transactions between veterinarians and their patients that pertain to medical treatment but not ancillary services.
- (H) “Days” shall mean calendar days.
- (I) “Department” shall mean the Cuyahoga County Department of Consumer Affairs.
- (J) “Director” shall mean the Director of the Cuyahoga County Department of Consumer Affairs.
- (K) “Knowledge” shall mean actual awareness, but such actual awareness may be inferred where objective manifestations indicate that the individual involved acted with such awareness.
- (L) “Mediation” shall mean informal negotiations between the Consumer, the Supplier, and the Director.

- (M) “Person” shall mean any individual, corporation, government, governmental subdivision or agency, business trust, estate, trust partnership, association, cooperative, or other legal entity.
- (N) “Services” shall mean and includes, but is not limited to, work, labor, consumer transactions, privileges, and all other accommodations which are primarily for personal, family, or household purposes.
- (O) “Supplier” shall mean a seller, lessor, assignor, franchisor, or other person engaged in the business of effecting or soliciting consumer transactions, whether or not the person deals directly with the consumer. If the consumer transaction is in connection with a residential mortgage, “supplier” does not include assignee or purchaser of the loan for value, except as otherwise provided in section 1345.091 of the Ohio Revised Code. For purposes of this section, in a consumer transaction in connection with a residential mortgage, “seller” means a loan officer, mortgage broker, or nonbank mortgage lender.
- (P) “Unconscionable consumer sales acts or practices” shall mean practices in connection with a consumer transaction which unfairly takes advantage of the lack of knowledge, ability, experience, or capacity, of a consumer, or results in a gross disparity between the value received by a consumer and the price paid to the consumer’s detriment. Unconscionable consumer sales acts or practices include, but are not limited to, those practices defined by this Chapter, Chapter 1302 of this Code, the Ohio Revised Code, Chapter 1345 of the Ohio Revised Code including section 1345.03, the Ohio Administrative Code, and other applicable consumer protection laws, as amended.
- (Q) “Unfair or Deceptive Practices” shall mean any unfair or deceptive consumer trade practice in the sale or any false, falsely disparaging, or misleading oral or written statement, visual description or other misrepresentation of any kind made in the conduct of any consumer transaction; the collection of consumer debts; the offering of sale, lease, rental or loan of consumer goods or services; the offering for sale of products by weight, count or measure. Unfair or deceptive practices include, but are not limited to, those practices defined by this Chapter, Chapter 1302 of this Code, the Ohio Revised Code, Chapter 1345 of the Ohio Revised Code including section 1345.02, the Ohio Administrative Code, and other applicable consumer protection laws, as amended.

Section 1301.02: Unfair and Deceptive Practices Prohibited

No supplier shall engage in any unfair or deceptive practice as defined in Section 1301.01 (Q), including but not limited to, using in any manner the name, logo, and/or seal of any governmental entity, or purport to the consumer that it has the authority of any governmental entity, including Cuyahoga County, without authorization. Such an unfair or deceptive practice violates this Chapter whether it occurs before, during, or after the transaction.

Without limiting the scope of an unfair or deceptive practice, the act or practice of a supplier in representing any of the following is deceptive:

- (A) That the subject of a consumer transaction has sponsorship, approval, performance characteristics, accessories, uses, or benefits that it does not have;
- (B) That the subject of a consumer transaction is of a particular standard, quality, grade, style, prescription, or model, if it is not;
- (C) That the subject of a consumer transaction is new, or unused, if it is not;
- (D) That the subject of a consumer transaction is available to the consumer for a reason that does not exist;
- (E) That the subject of a consumer transaction has been supplied in accordance with a previous representation, if it has not, except that the act of a supplier in furnishing similar merchandise of equal or greater value as a good faith substitute as determined by Chapter 1345 of the Ohio Revised Code and does not violate this section;
- (F) That the subject of a consumer transaction will be supplied in greater quantity than the supplier intends;
- (G) That replacement or repair is needed, if it is not;
- (H) That a specific price advantage exists, if it does not;
- (I) That the supplier has a sponsorship, approval, or affiliation that the supplier does not have;
- (J) That a consumer transaction involves or does not involve a warranty, a disclaimer of warranties or other rights, remedies, or obligations if the representation is false.

Whoever violates any provisions of this Section may be subject to the remedies provided in Section 1301.08. Each violation shall constitute a separate offense.

Section 1301.03: Unconscionable Consumer Sales Acts or Practices Prohibited

No supplier shall engage in any unconscionable consumer sales act or practice as defined in Section 1301.01 (P). Such an unconscionable sales act or practice violates this Chapter whether it occurs before, during, or after the transaction.

In determining whether an act or practice is unconscionable, the following circumstances shall be taken into consideration:

- (A) Whether the supplier has knowingly taken advantage of the inability of the consumer reasonably to protect the consumer's interests because of the consumer's physical or mental infirmities, ignorance, illiteracy, or inability to understand the language of an agreement;
- (B) Whether the supplier knew at the time the consumer transaction was entered into that the price was substantially in excess of the price at which similar property or services were readily obtainable in similar consumer transactions with consumers;
- (C) Whether the supplier knew at the time the consumer transaction was entered into of the inability of the consumer to receive a substantial benefit from the subject of the consumer transaction;
- (D) Whether the supplier knew at the time the consumer transaction was entered into that there was no reasonable probability of payment of the obligation in full by the consumer;
- (E) Whether the supplier required the consumer to enter into a consumer transaction on terms the supplier knew were substantially one-sided in favor of the supplier;
- (F) Whether the supplier knowingly made a misleading statement or opinion on which the consumer was likely to rely to the consumer's detriment;
- (G) Whether the supplier has, without justification, refused to make a refund in cash or by check for a returned item that was purchased with cash or check, unless the supplier had conspicuously posted in the establishment at the time of the sale a sign stating the supplier's refund policy.

Whoever violates any provisions of this Section may be subject to the remedies provided in Section 1301.08. Each violation shall be a separate offense.

Section 1301.04: Jurisdiction

The Department shall have jurisdiction over all consumer transactions which take place within Cuyahoga County, regardless of the residence of any of the persons directly or indirectly affected by such transaction. For purposes of online and/or telephone consumer transactions, the location of the consumer or the supplier within Cuyahoga County at the time of the transaction shall establish jurisdiction.

Section 1301.05: Filing Consumer Complaints

Any consumer who feels they have been subjected to unfair or deceptive practices or unconscionable consumer sales acts or practices may at any time within two years from the date of the alleged violation or within a reasonable time after the consumer discovers or should have discovered the violation, whichever is later, file a complaint in writing with the Cuyahoga County Department of Consumer Affairs. Filing a complaint

pursuant to this Chapter does not toll the statute of limitations in any other action before another entity or court. The complaint should state enough details of the incident so as to allow the Department to investigate the circumstances surrounding the incident, the complaint should state the name and address of the person alleged to have committed the violation, the details of the violation, and any other information the Department deems necessary.

Section 1301.06: Enforcement Procedures

- (A) In enforcing this Chapter, the Director may:
 - 1. Investigate a violation or a complaint;
 - 2. Attempt dispute resolution, including mediation with the parties;
 - 3. Refer a complaint or a violation to the County Prosecutor, Ohio Attorney General, Federal Trade Commission, Consumer Financial Protection Bureau, or other appropriate agencies with jurisdiction over the complaint; or
 - 4. Enforce violations of this Chapter through civil actions.
- (B) When the Director finds that any violation is causing or will cause immediate, substantial, and irreparable injury, or it is otherwise in the public interest, the Director may take immediate enforcement action, including issuing a Cease and Desist Order, obtaining a Written Assurance of Voluntary Compliance or entering into a settlement/mediation agreement prohibiting the alleged violator from engaging in an unfair or deceptive practice or unconscionable consumer sales act or practice. Any settlement shall be in writing and made a matter of public record.
- (C) The Director may bring a civil action in the Cuyahoga County Court of Common Pleas or any court of competent jurisdiction to enforce a Cease and Desist Order, a Written Assurance of Voluntary Compliance and/or Settlement/Mediation Agreement, and also to enjoin any violation of this Chapter or Chapter 1302 or enforce any order or decision issued under this Chapter or Chapter 1302.
- (D) The Director, upon approval of the Director of Law or his/her designee, shall have the power to compel via notification the attendance of witnesses and to require the production by them of books, papers, documents, and other materials relevant to any case under investigation.

Section 1301.07: Investigations by Director of Consumer Affairs

- (A) If, by the Director's or the Director's designee's own inquiries or, as a result of complaints, the Director has reason to believe that a person has engaged or is engaging in an act or practice that violates this Chapter, he/she may investigate.
- (B) For this purpose, the Director upon approval of the Director of Law or his/her designee, may administer oaths, compel witnesses to attend an investigatory hearing, adduce evidence, and require the production of relevant matter.
- (C) Within twenty days after a notice to attend has been delivered via certified mail, return receipt requested, a person noticed under this section may file a motion to extend the date for appearance, stating good cause for the request.
- (D) A person compelled to attend under this section shall comply with the terms of the notice, unless the parties agree to modify the terms of the notice or unless the Director has modified or withdrawn the notice.

If a person fails without lawful excuse to obey a notice to appear or to produce relevant matter, the Director may file a complaint in the Cuyahoga County Court of Common Pleas or a court of competent jurisdiction for violations of this Chapter.

- (E) The procedures available to the Director under this section are cumulative and concurrent, and the exercise of one procedure by the Director does not preclude or require the exercise of any other procedure.

Section 1301.08: Director of Consumer Affairs Remedies

- (A) If the Director finds a violation, the Director may order the supplier to:
 - (1) cease and desist committing the violation;
 - (2) provide restitution to the consumer;
 - (3) pay any costs of investigation or related activities of the Department;
 - (4) pay a civil penalty as set forth in this Section; or
 - (5) take any other action that would:
 - (a) assist the public in obtaining relief;
 - (b) prevent future violations; or
 - (c) otherwise make the consumer whole.
- (B) If the Director, by the Director's or the Director's designee's own inquiries, or as a result of complaints, has reasonable cause to believe that a supplier has engaged or is

engaging in a practice that violates this Chapter, and that the action would be in the public interest, the Director may bring any of the following:

- (1) An action to obtain a declaratory judgment that the act or practice violates this Chapter;
 - (2) (a) An action, with notice as required by Civil Rule 65, to obtain a temporary restraining order, preliminary injunction, or permanent injunction to restrain the act or practice. If the Director shows by a preponderance of the evidence that the supplier has violated this Chapter, the court may issue a temporary restraining order, preliminary injunction, or permanent injunction to restrain and prevent the act or practice.

(b) On motion of the Director, or on its own motion, the court may impose a civil penalty of not more than five thousand dollars for each day of violation of a temporary restraining order, preliminary injunction, or permanent injunction issued under this section, if the supplier received notice of the action.
- (C) On motion of the Director and without bond, in the Director's action under this section, the court may make appropriate orders, including appointment of a referee or a receiver, for sequestration of assets, to reimburse consumers found to have been damaged, to carry out a transaction in accordance with a consumer's reasonable expectations, to strike or limit the application of unconscionable clauses of contracts so as to avoid an unconscionable result, or to grant other appropriate relief. The court may assess the expenses of a referee or receiver against the supplier.
- (D) In addition to the other remedies provided in this section, if a violation is an act or practice that was declared to be unfair, deceptive, or unconscionable by rule adopted pursuant to division (B)(2) of section 1345.05 of the Revised Code before the consumer transaction on which the action is based occurred or an act or practice that was determined by a court of this state to violate section 1345.02, 1345.03, or 1345.031 of the Revised Code and committed after the decision containing the court's determination was made available for public inspection pursuant to division (A)(3) of section 1345.05 of the Revised Code, the Director may request and the court may impose a civil penalty of not more than twenty-five thousand dollars against the supplier.
- (E) If a court determines that provision has been made for reimbursement or other appropriate corrective action, insofar as practicable, with respect to all consumers damaged by a violation, or in any other appropriate case, the Director, with court approval, may terminate enforcement proceedings brought by the Director upon acceptance of an assurance from the supplier of voluntary compliance with this Chapter, with respect to the alleged violation. The assurance shall be filed with the court and entered as a consent judgment. Disregard of the terms of a consent judgment entered upon an assurance shall be treated as a violation of an injunction issued under this section.

- (F) Violation of a cease and desist order, a written assurance of voluntary compliance, and/or mediated settlement agreement entered into pursuant to this section shall be treated as a violation of this Chapter and enforced pursuant to this Section.
- (G) A violation of this Chapter shall be punishable by the payment of a civil penalty in the sum of not less than one thousand (\$1000.00) dollars, nor more than five thousand (\$5000.00) dollars, to be recovered in a civil action.
- (H) Civil penalties ordered pursuant to divisions (B), (D), and (G) of this section shall be paid to the Cuyahoga County Treasurer;
- (I) The remedies available to the Director under this section are cumulative and concurrent, and the exercise of one remedy by the Director does not preclude or require the exercise of any other remedy. The Director is not required to use any procedure set forth in Section 1301.07 prior to the exercise of any remedy set forth in this section.

Section 1301.09: Other Rights and Remedies

Nothing herein shall prevent any person from exercising any right or seeking any private remedy or redress to which one might otherwise be entitled, or from filing any complaint with any other agency or court.

Section 1301.10: Applicability

Nothing in the Chapter shall be construed to exempt compliance with state and federal laws related to consumer protection. Violation of these laws may be prosecuted as applicable.

Section 1301.11: Severability

This Chapter and each article and section thereunder, are hereby declared to be independent and, notwithstanding any other evidence of legislative intent, it is hereby declared to be controlling legislative intent that if any provisions of said article and/or section, or the application thereof to any person or circumstance is held to be invalid, the invalidity shall not affect other articles and/or sections of this Chapter, and it is hereby declared that such articles and sections would have been passed independently of such article and/or section so known to be invalid.

SECTION 2. Section 202.16(A)(7) of the Cuyahoga County Code is hereby amended as follows (additions are bolded and underlined, deletions are stricken):

- 7. The duties and responsibilities of the Division of Consumer Protection shall include:
 - a. **Protecting and promoting the welfare of County consumers:**

- b. Promoting consumer/financial literacy and asset building in Cuyahoga County;
- c. **Receiving and investigating complaints and initiating its own investigation of alleged violations of consumer protection or weights and measures laws as provided by Cuyahoga County or** ~~Investigating alleged violations of laws relating to Weights and Measures as provided by the Ohio Revised Code,~~ **the Ohio Administrative Code, and other applicable consumer laws as amended, and or** referring such violations to the Cuyahoga County Prosecutor, Ohio Attorney General, or other agencies if appropriate;
- d. Educating consumers and businesses about laws related to consumer protection;
- e. Mediating disputes between consumers and businesses **related to consumer protection complaints** ~~about laws related to consumer protection;~~
- f. Collaborating with businesses, non-profit organizations and government agencies on programs related to consumer affairs issues;
- g. Advising, when requested, the County Executive and the County Council on policies and programs related to consumer protection; and
- h. Such other duties and responsibilities as provided by Ordinance of Cuyahoga County.

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Ordinance No. O2018-0003

Sponsored by: County Executive Budish/Department of Consumer Affairs	An Ordinance enacting Title 13, Chapter 1302 of the Cuyahoga County Code to establish the Cuyahoga County Weights and Measures Code.
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WHEREAS, County Council deems it necessary to adopt the regulations governing the County's Department of Consumer Affairs, Division of Weights and Measures; and

WHEREAS, the need to promote honest and fair business practices; and the protection of the citizens of and visitors to Cuyahoga County from unfair and deceptive practices and acts is in the best interest of the public; and

WHEREAS, the public health, safety and welfare of the residents of the County will best be served by enacting a Cuyahoga County Weights and Measures Code that provides for enforcement by the Department of Consumer Affairs through many means.

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

SECTION 1. Title 13, Chapter 1302 of the Cuyahoga County Code is hereby enacted as follows:

Title 13: Commercial Regulation

Chapter 1302 Weights and Measures

Section 1302.01: Definitions

As used in Chapter 1302:

- (A) "Correct" shall mean conformance to all applicable requirements of this Chapter.
- (B) "Department" shall mean the Cuyahoga County Department of Consumer Affairs.
- (C) "Director" shall mean the Director of the Department of Consumer Affairs.
- (D) "Package" shall mean any commodity enclosed in a container or wrapped in any manner in advance of wholesale or retail sale. An individual item or lot of any commodity on which there is marked a selling price based on an established price per unit of weight or of measure shall be considered a package or packages.

- (E) “Person” shall mean any individual, corporation, government, governmental subdivision or agency, business trust, estate, trust partnership, association, cooperative, or other legal entity.
- (F) “Primary standards” means the physical standards of the state that serve as the legal reference from which all other standards and weights and measures are derived.
- (G) “Secondary standards” means the physical standards that are traceable to the primary standards through comparisons, using acceptable laboratory procedures, and used in the enforcement of weights and measures laws and rules.
- (H) “Sale from Bulk” shall mean the sale of commodities when the quantity is determined at the time of the sale.
- (I) “Seal” shall mean any official tag, seal, wire, or mark of the Cuyahoga County Department of Consumer Affairs, Weights and Measures Division, indicating a device has been inspected.
- (J) “Sealer” shall mean the Cuyahoga County Fiscal Officer. When in this Chapter the words “Sealer” are used, they shall mean the Fiscal Officer, or any of his or her delegates duly authorized to perform the duties of such officer.
- (K) “Short-weight Packages” shall mean any “standard pack” or “pre-pack commodity” whose net contents is not equal to or exceed the labeled or advertised quantity at the retail outlet.
- (L) “Weight” means as used in connection with any commodity or service net weights. “Net weight” means the weight of a commodity, excluding any materials, substances, or items not considered to be a part of the commodity. Materials, substances, or items not considered to be part of the commodity include, but are not limited to, containers, conveyances, bags, wrappers, packaging materials, labels, individual piece coverings, decorative accompaniments, and coupons.
- (M) “Weight(s) and/or Measure(s)” shall mean all weights and measures of every kind, instruments and devices for weighing and measuring, and any appliance and accessories associated with any or all such instruments and devices.

Section 1302.02: Filing Consumer Complaints

The obligations and prohibitions in this Chapter shall supplement and be consistent with any and all State, rules, regulations, and procedures governing weights and measures. Any person who feels they have been subjected to unfair or deceptive practices or unconscionable consumer sales acts or practices directly related to any violation of this Chapter, the Ohio Revised Code, or the Ohio Administrative Code related to weights and measures laws may file a complaint in writing with the Cuyahoga County Department of Consumer Affairs. The complaint should be filed at any time within two (2) years from

the date of the alleged violation or within a reasonable time after the consumer discovers or should have discovered the violation, whichever is later. Filing a complaint pursuant to this Chapter does not toll the statute of limitations for any other action before another entity or court. The complaint should state enough details of the incident to allow the Department to investigate the circumstances surrounding the incident, and at a minimum, the complaint should state the name and address of the person alleged to have committed the violation, the details of the violation, and any other information the Department deems necessary.

Section 1302.03: Standards for Weights and Measures

(A) The systems of weights and measures.

The definitions of basic units of weight and measure, the tables of weights and measures, and weights and measures equivalents as published by the National Institute of Standards and Technology are recognized and adopted by the Department and shall govern weighing and measuring equipment and transactions in the county.

(B) Technical requirements for weighing and measuring devices.

The specifications, tolerances, and other technical requirements for commercial, law enforcement, data gathering, and other weighing and measuring devices as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 44, Specifications, Tolerances, and Other Technical Requirements for Weighing and Measuring Devices,” and supplements thereto or revisions thereof, shall apply to weighing and measuring devices in the county, except insofar as modified or rejected by applicable provisions of the Ohio Revised Code or Ohio Administrative Code.

(C) Information required on packages.

Except as otherwise provided in this Chapter or by regulation promulgated pursuant hereto, any package kept for the purpose of sale or offered or exposed for sale shall bear on the outside of the package a definite, plain, and conspicuous declaration of:

- (1) The identity of the commodity in the package, unless the same can easily be identified through the wrapper or container.
- (2) The net quantity of the contents in terms of weight, measure or count.
- (3) The name and place of business of the manufacturer, packer or distributor, in the case of any package kept, offered or exposed for sale or sold in any place other than on the premises where packed.

(D) Declarations of unit price on random weight packages.

In addition to the declarations required in Section 1302.05(I) of this Chapter, any package being one of a lot containing random weights of the same commodity and bearing the total selling price of the package shall bear on the outside of the package a plain and conspicuous declaration of the price per single unit of weight.

(E) Advertising packages for sale.

Whenever a packaged commodity is advertised in any manner with the retail price stated, there shall be closely and conspicuously associated with the retail price a declaration of quantity as is required by law or regulations to appear on the package. Where a dual declaration is required, the declaration that sets forth the quantity in terms of the smaller unit of weight or measure need appear in the advertisement.

(F) Prohibitions.

No person shall:

- (1) Use or have in possession for use in commerce any incorrect weight or measure.
- (2) Remove any seal from any weight or measure device without specific written authorization from the proper authority.
- (3) Hinder or obstruct any Weights and Measures' official in the performance of his or her duties.
- (4) Sell, offer or expose, use or keep to be used, any weight or measure for weighing or measuring any article bought, sold, offered or exposed for sale, which is liable to indicate false or inaccurate weight or measure, or which does not conform to the standard established by law.
- (5) Sell, offer or expose any weight or measure for weighing or measuring of products for sale without said weight and measure having been tested, marked and sealed by weights and measures official.
- (6) Misrepresent the price of any commodity or service, sold, offered, exposed or advertised for sale by weight, measure or count, or represent the price in any manner calculated or tending to mislead or in any way deceive a person.

Section 1302.04: Duty of Testing and Sealing

(A) When necessary for the enforcement of this Chapter, the Sealer is hereby:

- (1) Authorized to enter any commercial premises during normal business hours, except in the event such premises are not open to the public.

- (2) Empowered to issue violations and condemned orders with respect to any weights and measures commercially used, and issue violations and off sale orders with respect to any packaged commodities or bulk commodities, kept, offered or exposed for sale.
- (3) Empowered to seize, for use as evidence, without formal warrant, any incorrect or unapproved weight, measure, package or commodity found to be used, retained, offered or exposed for sale or sold in violation of the provisions of this Chapter.
- (4) With respect to the enforcement of this Chapter, the Sealer is hereby vested with the authority and is to investigate any commercial vendors within the county found to possess weighing and/or measuring devices which are in violation of this Chapter.

Section 1302.05: Equipment

(A) Suitability of equipment.

Commercial equipment shall be suitable for the service in which it is used with respect to elements of its design, including but not limited to its weighing capacity (for weighing devices), its computing capability (for computing devices), its rate of flow (for liquid measuring devices), the character, number size, and location of its indicating or recording elements, and the value of its smallest unit and unit prices.

(B) Accessibility for testing purposes.

A device shall be so located or such facilities for normal access thereto shall be provided to permit inspecting and testing the device; inspecting and applying security seals to the device, and readily bringing the testing equipment of the Weights and Measures official to the device by customary means and in the amount and size deemed necessary by such official for the proper conduct of the test. Otherwise, it shall be the responsibility of the device owner or operator to supply such special facilities, including such labor as may be needed to inspect, test, and seal the device, and to transport the testing equipment to and from the device, as required by the Weights and Measures official.

(C) Method of operation.

Equipment shall be operated only in the manner that is obviously indicated by its construction or that is indicated by instructions on the equipment.

(D) Installation.

A device shall be installed in accordance with the manufacturer's instructions, including any instructions marked on the device. A device installed in a fixed location shall be so

that neither its operation nor its performance will be adversely affected by any characteristic of the foundation, supports, or any other detail of the installation.

(E) Position of equipment.

A device or system equipped with a primary indicating element and used in direct sales, except for prescription scales, shall be positioned so that its indications may be accurately read and the weighing or measuring operation may be observed from some reasonable “customer” and “operator” position. The permissible distance between the equipment and a reasonable customer and operator position shall be determined in each case upon the basis of the individual circumstances, particularly the size and character of the indicating element.

(F) Maintenance of equipment.

All equipment in service and all mechanisms and devices attached thereto or used in connection therewith shall be continuously maintained in proper operating condition throughout the period of such service. Equipment in service at a single place of business found to be in error predominantly in a direction favorable to the device user shall not be considered “maintained in a proper operating condition.”

(G) Requirements for the method of sale of commodities.

The Uniformed Regulation for the Method of Sale of Commodities as adopted by the National Conference on Weights and Measures and published in National Institute of Standards and Technology Handbook 130, “Uniform Laws and Regulations,” and supplements thereto or revisions thereof, shall apply to the method of sale of commodities in the county, except insofar as modified or rejected by applicable provisions of the Ohio Revised Code or Ohio Administrative Code.

(H) Requirements for packaging and labeling.

The Uniform Packaging and Labeling Regulation as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 130, “Uniform Laws and Regulations,” and supplements thereto or revisions thereof, shall apply to packaging and labeling in the county, except insofar as modified or rejected by regulation.

(I) Requirements for price verification.

The Examination Procedures for Price Verification as adopted by the National Conference on Weights and Measures and published in the National Institute of Standards and Technology Handbook 130, “Uniform Laws and Regulations,” and supplements thereto or revisions thereof, shall apply to price verification in the county, except insofar as modified or rejected by regulation.

(J) Itinerant vendor.

All itinerant vendors using a weighing or measuring device in the county shall have that device inspected and tested by the Weights and Measures officials at the point of sale.

(K) Obstructing county weights and measures inspector prohibited.

No person shall obstruct or hinder County Weights and Measures inspectors in the performance of any of the duties imposed upon him or her by the provisions of this Chapter.

Section 1302.06: Deceptive Practices Prohibited

No person shall do any of the following:

- (A) Sell, offer, or expose for sale less than the quantity he represents;
- (B) Take any more than the quantity he represents when, as a buyer, he furnishes the weight or measure by means of which the quantity is determined;
- (C) Represent the quantity he sells or offers or exposes for sale in any manner tending to mislead or in any way to deceive.

Section 1302.07: Remedies

- (A) Upon finding a violation of this Chapter, the Director shall expeditiously cause the same to be corrected or where there is evidence of intent to defraud commence a civil action in the name of the county to recover a civil penalty in the amounts prescribed. In lieu of instituting or continuing a cause of action for recovery of such civil penalty may be released, settled or compromised by the Director.
- (B) Seek injunctive relief as a means of enforcing this Chapter. Said injunctive relief may include, but is not limited to, an Assurance of Voluntary Compliance prohibiting the alleged violator from engaging in an unfair or deceptive practice; stipulation for payment of penalty and/or investigative costs. Any settlement shall be in writing and made a matter of public record.
- (C) Violation of an assurance entered pursuant to this section shall be treated as a violation of this Chapter and shall be subject to all the penalties provided therefor.
- (D) In enforcing this Chapter, the Director shall be subject to the jurisdiction, investigation, and enforcement provisions and procedures in Chapter 1301 of the

Cuyahoga County Code, as long as it does not conflict with any other weights and measures laws enacted by other political subdivisions within the County.

- (E) A violation of any provision of this Chapter shall be punishable by a payment of a civil penalty in the sum of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00). Subsequent violations shall be punishable by a payment of a civil penalty of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1,000.00).

Section 1302.08: Price Refunds; Price Information

- (A) A person who uses an electronic scanner to record the price of a commodity or thing and who sells the commodity or thing at a price higher than the posted or advertised price of that commodity or thing at least shall refund to a person who purchases the commodity or thing the difference between the posted or advertised price of the commodity or thing and the price charged at the time of sale.
- (B) A person who sells a commodity or thing and who uses an electronic scanner to record the price of that commodity or thing shall display, in a conspicuous manner, a sign stating the requirement of this section.
- (C) Whoever violates any provisions of this Section may be subject to penalties provided in Section 1302.07.

Section 1302.09: Sales of Petroleum Products

- (A) Definition.

For the purpose of this Chapter, “petroleum products” includes all liquid products having a predominant content of derivatives of petroleum and customarily used in motor vehicles.

- (B) Posting of petroleum product prices.

Street signage is not required. However, when street signage is used, the sign shall match the product price at which the product is displayed. The signs must be visible to the motorist before entering the station to purchase fuel. The conditions applicable to the sale of the fuel at the advertised price must also be on the advertising sign (i.e., full service or self-service and cash price or credit price). The total size of the figures indicating a fractional or decimal number which is part of the price shall be at least forty percent the size of the largest figure in the whole number accompanying said fractional or decimal number.

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

Journal _____
_____, 20__