



**AGENDA  
CUYAHOGA COUNTY COUNCIL REMOTE\* REGULAR MEETING  
TUESDAY, APRIL 14, 2020  
2:00 PM**

**\*Due to the COVID-19 pandemic, the Cuyahoga County Administration Building is closed to the public at this time. As this meeting is being conducted remotely, in accordance with HB 197, interested persons may access the meeting via livestream by using the following link: [council.cuyahogacounty.us/en-US/Streaming-Video.aspx](https://council.cuyahogacounty.us/en-US/Streaming-Video.aspx) or by calling 1-877-336-1828 Access Code 3279066#.**

**\*\*Public comment for this meeting may be submitted in writing via email to the Clerk of Council at [jschmotzer@cuyahogacounty.us](mailto:jschmotzer@cuyahogacounty.us) no later than 1:00 p.m. on Tuesday, April 14, 2020**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT\*\***
- 6. APPROVAL OF MINUTES**
  - a) March 16, 2020 Special Meeting (See Page 5)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY EXECUTIVE**

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

- 1) R2020-0079: A Resolution amending the 2020/2021 Biennial Operating Budget for 2020 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, to meet the budgetary needs of various County departments, offices and agencies; and declaring the necessity that this Resolution become immediately effective. (See Page 18)

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

- 2) R2020-0080: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Ohio Patrolmen's Benevolent Association representing approximately 18 Deputy Sergeants at the Sheriff's Department for the period 1/1/2019 - 12/31/2021; 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. (See Page 26)

Sponsor: County Executive Budish/Department of Law and County Sheriff

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

- 1) R2020-0081: A Resolution authorizing an amendment to a revenue generating Agreement with City of Berea for maintenance and repair of storm sewers and sanitary sewers located in County Sewer District No. 8 for the period 6/1/2017 - 3/31/2020 to extend the time period to 3/31/2021 and for additional revenue in the amount not-to-exceed \$1,600,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 29)

Sponsor: County Executive Budish/Department of Public Works

- 2) R2020-0082: A Resolution amending Resolution No. R2019-0018 dated 2/12/2019, which declared that public convenience and welfare requires resurfacing Brainard Road in the Cities of Highland Heights and Lyndhurst, by changing the termini from Cedar Road to Wilson Mills Road to Falkirk Road to Wilson Mills Road; making an award on RQ47967 to Perk Company, Inc. in the amount not-to-exceed \$3,028,622.80 for resurfacing Brainard Road from said termini in said municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$302,862.28 to fund a portion of said contract; and declaring the necessity that this Resolution become immediately effective. (See Page 39)

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

- 3) R2020-0083: A Resolution authorizing an amendment to Contract No. CE1900152-02 with AEP Onsite Partners, LLC fka Enerlogics Solar LLC for the purchase of electricity generated by Rooftop Solar Systems installed at various County facilities in connection with the Aggregated Solar Project for the period 6/1/2019 - 5/31/2029 to change the scope of services, effective 3/1/2020, and for additional funds in the amount not-to-exceed \$624,466.74; 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 54)

Sponsor: County Executive Budish/Departments of Public Works and Sustainability

- 4) R2020-0084: A Resolution authorizing a revenue generating agreement with The Cleveland Clinic Foundation in the amount not-to-exceed \$900,000.00 for six Medicaid Enrollment Eligibility Specialists for the period 1/1/2020 - 12/31/2021; authorizing the County Executive to execute the agreement and all other documents consistent with this

Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 61)

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

**c) CONSIDERATION OF AN ORDINANCE FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**

- 1) O2020-0008: An uncodified Ordinance amending uncodified Ordinance No. O2020-0007 dated 3/16/2020, which provided for paid emergency administrative leave for all County employees, by deleting the requirement that the paid emergency administrative leave can only be used after the employee has exhausted his or her existing accrued sick leave; and declaring the necessity that this uncodified Ordinance become immediately effective. (See Page 66)

Sponsors: County Executive Budish and Council President Brady

**10. MISCELLANEOUS COMMITTEE REPORTS**

**11. MISCELLANEOUS BUSINESS**

**12. ADJOURNMENT**

NEXT MEETINGS

COMMITTEE OF THE WHOLE MEETING:

TUESDAY, APRIL 21, 2020  
2:00 PM / REMOTE

REGULAR MEETING:

TUESDAY, APRIL 28, 2020  
2:00 PM / REMOTE



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL SPECIAL MEETING  
MONDAY, MARCH 16, 2020  
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS  
C. ELLEN CONNALLY COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR  
2:00 PM**

**1. CALL TO ORDER**

**Council President Brady called the meeting to order at 2:03 p.m.**

**2. ROLL CALL**

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

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**Council President Brady asked for a moment of silent meditation be dedicated to the people that Council has pledged to serve during this difficult time.**

**5. PUBLIC COMMENT**

**There were no public comments given.**

**6. APPROVAL OF MINUTES**

- a) March 10, 2020 Committee of the Whole Meeting
- b) March 10, 2020 Regular Meeting

**A motion was made by Mr. Miller, seconded by Ms. Brown and approved by unanimous vote to approve the minutes from the March 10, 2020 Committee of the Whole and Regular meetings.**

**7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**

**Council President Brady stated that the purpose of the Special Meeting was to consider legislation that would allow for flexibility for emergency spending and additional administrative leave for employees during this health crisis. Council President Brady also announced that the March 24th Council meeting would be canceled and discouraged any upcoming Committee meetings. Council will not be out of session, but Councilmembers will be communicating remotely with each other, staff and the administration. He also commended Governor DeWine for his leadership and encouraged everyone to watch the daily press conferences and updates from the Department of Health.**

**8. MESSAGES FROM THE COUNTY EXECUTIVE**

**County Executive Budish reported that the County is working to manage the current health crisis. He noted that we will all need to make sacrifices, but those sacrifices will save lives. The County is managing the crisis with a team that includes the County Board of Public Health, Emergency Management, State and City Departments of Health, emergency service providers, courts and Prosecutor's office. There has also been enhanced custodial services to sanitize buildings. He thanked Governor DeWine for his leadership and announced that a countywide emergency was declared last week. County Executive Budish also announced that he submitted legislation to facilitate the process of making emergency purchases as well as legislation that would grant 80 hours of administrative sick leave for employees. He encouraged sick employees to stay home and is working with department directors to identify employees who may be able to work from home. He also thanked Council for their assistance in helping to manage this pandemic.**

**9. LEGISLATION INTRODUCED BY COUNCIL**

- a) **CONSIDERATION OF A RESOLUTION OF COUNCIL 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 No. R2020-0067.**

- 1) R2020-0067: A Resolution making an award to College Now Greater Cleveland in the amount of \$500,000.00 from the Cuyahoga County Educational Assistance Fund for Component Two of the Cuyahoga County Educational Assistance Program

for the period ending 6/30/2024; 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: Councilmember Simon

**On a motion by Ms. Simon, seconded by Ms. Conwell, Resolution No. R2020-0067 was considered and adopted by majority vote, with Mr. Schron casting the only dissenting vote.**

- b) DISCHARGE FROM COMMITTEE AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rules 9D requiring three readings and 12S discharging from committee by petition, dispensing with committee review and discharging Resolution Nos. R2020-0061 and R2020-0062 to the full Council for consideration for final passage.**

- 1) R2020-0061: A Resolution amending Resolution No. R2016-0218 dated 12/13/2016, as amended by Resolution No. R2018-0067 dated 4/10/2018, which authorized an Economic Development Fund Redevelopment and Modernization Loan to Detroit Shoreway Community Development Organization for the benefit of a project located at 11801 - 11825 Lorain Avenue in the City of Cleveland, by extending the Resolution sunset, converting the loan to a grant and changing the funding recipient to Friends of Historic Variety Theatre, Inc.; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Council President Brady

Committee Assignment and Chair: Community Development – Jones

**On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2020-0061 was considered and adopted by unanimous vote.**

- 2) R2020-0062: A Resolution authorizing a Community Development Fund grant in the amount of \$25,000.00 to Northeast Ohio Alliance For Hope for the benefit of the East

Cleveland Supported Development Model – Stage One: Community Development Partner Capacity-building, located in the City of East Cleveland; authorizing County Council Staff to prepare all documents to effectuate said grant; and authorizing the County Executive to execute all documents consistent with said grant and this Resolution.

Sponsors: Councilmembers Stephens, Simon, Jones and Miller

Committee Assignment and Chair: Community Development – Jones

**On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2020-0062 was considered and adopted by unanimous vote.**

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

**A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2020-0068, R2020-0069, R2020-0070, R2020-0071, R2020-0072, R2020-0073, R2020-0074, R2020-0075, R2020-0076, R2020-0077 and R2020-0078.**

- 1) R2020-0068: A Resolution amending the 2020/2021 Biennial Operating Budget for 2020 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, 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. Brady with a second by Ms. Conwell, Resolution No. R2020-0068 was considered and adopted by unanimous vote.**

- 2) R2020-0069: A Resolution authorizing Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$100,197.55, for child support services for the period 1/1/2020 - 12/31/2020; authorizing the County Executive to execute the agreements and all other documents



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

- i) Cuyahoga County Treasurer's Office in the amount not-to-exceed \$75,434.60.
- ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court/Cashiers Department in the amount not-to-exceed \$24,762.90.

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

**On a motion by Ms. Conwell with a second by Ms. Brown, Resolution No. R2020-0069 was considered and adopted by unanimous vote.**

- 3) R2020-0070: A Resolution authorizing Title IV-D Cooperative Agreements with various providers, in the total amount not-to-exceed \$10,691,877.95, for child support services for the period 1/1/2020 - 12/31/2020; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) Cuyahoga County Court of Common Pleas/Division of Domestic Relations in the amount not-to-exceed \$3,478,347.82.
- ii) Cuyahoga County Court of Common Pleas/Division of Juvenile Court in the amount not-to-exceed \$3,524,852.31.
- iii) Cuyahoga County Prosecuting Attorney's Office in the amount not-to-exceed \$3,688,677.82.

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

**On a motion by Ms. Conwell with a second by Ms. Brown, Resolution No. R2020-0070 was considered and adopted by unanimous vote.**

- 4) R2020-0071: A Resolution confirming the County Executive's reappointment of various individuals to serve on the Cuyahoga County Community Improvement Corporation Board of Trustees for various terms, and declaring the

necessity that this Resolution become immediately effective:

- i) Richard Perry for the term 1/2/2020 - 1/1/2023;  
and
- ii) Matthew P. Carroll for the term 4/1/2020 -  
3/32/2023.

Sponsor: County Executive Budish

**On a motion by Ms. Brown with a second by Ms. Conwell, Resolution No. R2020-0071 was considered and adopted by unanimous vote.**

- 5) R2020-0072: A Resolution extending the appointment of Interim Director of the Department of Health and Human Services David Merriman, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

**On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2020-0072 was considered and adopted by unanimous vote.**

- 6) R2020-0073: A Resolution making an award on RQ47414 to Schirmer Construction, LLC in the amount not-to-exceed \$1,376,301.00 for rehabilitation of Bishop Road Bridge No. 01.78 over the East Branch of Euclid Creek in the City of Highland Heights; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2020-0073 was considered and adopted by unanimous vote.**

- 7) R2020-0074: A Resolution making an award on RQ47752 to The Vallejo Company in the amount not-to-exceed \$3,991,132.48 for resurfacing East 116<sup>th</sup> Street from Miles

Road to Union Avenue in the City of Cleveland; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$997,783.12 to fund a portion of said contract; and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2020-0074 was considered and adopted by unanimous vote.**

- 8) R2020-0075: A Resolution making an award on RQ47718 to Chagrin Valley Paving, Inc. in the amount not-to-exceed \$2,504,354.06 for resurfacing Ridge Road from Memphis Avenue to Denison Avenue in the Cities of Brooklyn and Cleveland; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount of \$150,261.24 to fund a portion of said contract; and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2020-0075 was considered and adopted by unanimous vote.**

- 9) R2020-0076: A Resolution making an award on RQ47462 to United Survey, Inc. in the amount not-to-exceed \$3,041,074.50 for the 2020 Sewer Rehabilitation Program in various County Sewer Districts for the period 6/1/2020 - 5/31/2022; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2020-0076 was considered and adopted by unanimous vote.**

- 10) R2020-0077: A Resolution making awards to various municipalities, in the total amount of \$3,188,198.00, for various municipal grant projects in connection with the 2019 Community Development Block Grant Municipal Grant Program for the period 4/1/2020 - 3/31/2021; authorizing the County Executive to execute the agreements and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development **and Councilmembers Baker, Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown, Stephens and Brady**

**Mr. Theodore Carter, Chief Economic Development Officer; and Ms. Sara Parks Jackson, Housing and Community Development Administrator, addressed Council regarding Resolution No. R2020-0077. Discussion ensued.**

**Councilmembers asked questions of Mr. Carter and Ms. Parks Jackson pertaining to the item, which they answered accordingly.**

**On a motion by Mr. Jones with a second by Ms. Brown, Resolution No. R2020-0077 was considered and adopted by unanimous vote.**

- 11) R2020-0078: A Resolution making awards to various municipalities and non-profit organizations, in the total amount of \$1,610,364.00, for various projects or programs in connection with the 2020 Community Development Supplemental Grant Program for the period 4/1/2020 - 3/31/2021; 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.

Sponsors: County Executive Budish/Department of Development **and Councilmembers Baker, Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown, Stephens and Brady**

**On a motion by Mr. Jones with a second by Ms. Brown, Resolution No. R2020-0078 was considered and adopted by unanimous vote.**

b) **CONSIDERATION OF ORDINANCES 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 Ordinance Nos. O2020-0006 and O2020-0007.**

- 1) O2020-0006: An Ordinance amending Cuyahoga County Code Section 501.08 Emergency Contracting Authority, and declaring the necessity that this Ordinance become immediately effective.

**Sponsors: County Executive Budish, Council President Brady and Councilmember Conwell**

**County Executive Budish and Mr. Gregory Huth, Director of Law, addressed Council regarding Ordinance No. O2020-0006. Discussion ensued.**

**Councilmembers asked questions of Messrs. Budish and Huth pertaining to the item, which they answered accordingly.**

**On a motion by Ms. Conwell with a second by Ms. Brown, Ordinance No. O2020-0006 was considered and adopted by unanimous vote.**

- 2) O2020-0007: An Uncodified Ordinance providing for paid emergency administrative leave for County employees, and allowing the County Executive or his designee to temporarily expand the use of existing paid sick leave and unpaid personal leave of absence, and declaring the necessity that this Ordinance become immediately effective.

**Sponsors: County Executive Budish, Council President Brady and Councilmembers Simon, Conwell, Jones, Brown, Miller, Stephens, Tuma and Gallagher**

**Ms. Holly Woods, Interim Director of Human Resources; Mr. Huth; and County Executive Budish addressed Council regarding Ordinance No. O2020-0007. Discussion ensued.**

**Councilmembers asked questions of Ms. Woods, Mr. Huth and County Executive Budish pertaining to the item, which they answered accordingly.**

**On a motion by Mr. Brady with a second by Ms. Brown, Ordinance No. O2020-0007 was considered and adopted by majority roll-call vote, with Mr. Schron casting the only dissenting vote.**

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

**A motion was made by Mr. Brady, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D requiring three readings and 12S discharging from committee by petition, dispensing with committee review and discharging Resolution Nos. R2020-0064, R2020-0065 and R2020-0066 to the full Council for consideration for final passage.**

- 1) R2020-0064: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cuyahoga County Community-Based Correctional Facility Governing Board for various terms, and declaring the necessity that this Resolution become immediately effective:

- i) Appointment:

- a) Brandy Carney for an unexpired term ending 12/31/2021.

- ii) Reappointment:

- a) Scott S. Osiecki for the term 1/1/2019 - 12/31/2021.

Sponsor: County Executive Budish

**On a motion by Ms. Brown with a second by Mr. Brady, Resolution No. R2020-0064 was considered and adopted by unanimous vote.**

- 2) R2020-0065: A Resolution authorizing an Economic Development Fund Business Growth and Attraction Loan in the amount not-to-exceed \$1,500,000.00 to Saucy Brew Works Independence LLC for the benefit of a project to be located at 5810 Rockside Woods Boulevard North in the City of Independence; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Development

Committee Assignment and Chair: Economic Development & Planning – Schron

**Mr. Michael May, Development Administrator, and Mr. Bob Flato, Senior Development Finance Analyst, addressed Council regarding Resolution No. R2020-0065. Discussion ensued.**

**Councilmembers asked questions of Messrs. May and Flato pertaining to the item, which they answered accordingly.**

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2020-0065 was considered and adopted by unanimous vote.**

- 3) R2020-0066: A Resolution authorizing a U.S. Environmental Protection Agency Brownfield Revolving Loan in the amount not-to-exceed \$1,000,000.00 to Saint-Servan Centre Ltd. for an asbestos remediation project located at 4291 Richmond Road in the City of Warrensville Heights in connection with the SilverPoint Redevelopment Site Project; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development **and Brown**

Committee Assignment and Chair: Community Development – Jones

**On a motion by Mr. Schron with a second by Ms. Brown, Resolution No. R2020-0066 was considered and adopted by unanimous vote.**

d) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2020-0047: A Resolution authorizing an Economic Development Special Large-Scale Leverage Incentive Grant in the amount not-to-exceed \$14,000,000.00 to The Sherwin-Williams Company for the benefit of the Headquarters Project to be located in the City of Cleveland and the Research and Development Facility Project to be located in the City of Brecksville; authorizing the County Executive and/or Director

of Development to execute all documents consistent with said grant and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish/Department of Development **and Councilmembers Schron, Tuma, Baker, Simon and Stephens**

**On a motion by Mr. Schron with a second by Mr. Brady, Resolution No. R2020-0047 was considered and adopted by unanimous vote.**

- 2) R2020-0055: A Resolution authorizing a state contract with Great Lakes Petroleum in the amount not-to-exceed \$1,236,000.00 for the purchase of fuel for various County facilities for the period 4/1/2020 - 3/31/2022; authorizing the County Executive to execute the contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

**On a motion by Mr. Tuma with a second by Ms. Conwell, Resolution No. R2020-0047 was considered and adopted by unanimous vote.**

#### 11. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Miller reported that the Finance & Budgeting Committee meetings scheduled for Monday, March 30th and Monday, April 6th are canceled. The Committee of the Whole meeting scheduled for Thursday, April 9th is also canceled.**

#### 12. MISCELLANEOUS BUSINESS

**Mr. Miller stated that he will work with the administration and Council leadership to discuss how closures will affect the County's finances.**

**Ms. Simon reported that there is currently a vacancy for the Airport Manager position.**

**Ms. Conwell stated that she would like to get more information regarding precautions for employees who are in contact with the public.**

**Ms. Baker reported that she recently attended a meeting regarding the ERP project.**

#### 13. ADJOURNMENT



**With no further business to discuss, Council President Brady adjourned the meeting at 3:16 p.m., without objection.**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2020-0079

Sponsored by: <b>County Executive Budish/Fiscal Officer/Office of Budget and Management</b>	<b>A Resolution</b> amending the 2020/2021 Biennial Operating Budget for 2020 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, 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 10, 2019, the Cuyahoga County Council adopted the Biennial Operating Budget and Capital Improvements Program for 2020/2021 (Resolution No. R2019-0224) establishing the 2020/2021 biennial budget for all County departments, offices and agencies; and

WHEREAS, it is necessary to adjust the Biennial Operating Budget for 2020 to reflect budgetary funding increases, funding reductions, to transfer budget appropriations and to transfer cash between budgetary funds, 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 2020/2021 Biennial Operating Budget for 2020 be amended to provide for the following additional appropriation increases and decreases:

**Fund Nos./Budget Accounts**

A. General Fund		
IT600100 – Enterprise Resource Planning		
Personnel	\$	1,217,960.00
Other Expenses	\$	6,655,839.00

The Office of Budget and Management on behalf of the Department of Information Technology is requesting an appropriation increase of \$7,873,799 to complete Phase 1 of the ERP including capitalized salary and fringe costs, contracts and hardware. The detail for this item is attached. Funding is General Fund.

**B. EMERGENCY RESPONSE**

FS100185 – COVID-19 Emergency Response		
Other Expenses	\$	5,000,000.00

Pursuant to an emergency declaration through Executive Order EO2020-0002 on March 11, 2020, Executive Budish has declared a State of Emergency because of the infectious disease COVID-19. An additional appropriation request of \$5 million is requested for mission-critical purchases for items needed to prevent and respond to COVID-19. The purchases would be made through an expedited procurement process under emergency contracting authority to the extent authorized by County Code 501.08. The initial funding would come from the General Fund.

**C. General Fund**

FS100900 – Non-Departmental Rev/Exp		
Other Expenses	\$	2,776,781.00

Additional appropriation is requested to properly account for sales tax revenues and expenditures that are withheld by the State as part of their administrative fees. This change has no impact to net sales tax collections or reporting but increases the gross revenue and expenditures recorded. Funding source is General Fund.

**D. Community Development**

DV220165 – CDBG		
Other Expenses	\$	2,432,345.00

The Department of Development is requesting an appropriation increase of \$2,432,345.00 in the CDBG Zone of Community Development. This is to support the new FY2020 CARES Act award for CDBG. Funding is provided by the U.S. Department of Housing and Urban Development with no prior grant history.

**E. Community Development**

DV220160 – Emergency Solutions Develop		
Other Expenses	\$	1,204,362.00

The Department of Development is requesting an appropriation increase of \$1,204,362.00 in the CDBG Zone of Community Development. This is to support the new FY2020 CARES Act award for Emergency Solutions Grant. Funding is provided by the U.S. Department of Housing and Urban Development with no prior grant history.

**F. Community Development**

DV220165 – CDBG		
Personal Services	\$	448,014.69
Other Expenses	\$	39,800.00

The Department of Development is requesting an appropriation increase of \$487,814.69 in the CDBG Zone of Community Development. This is to support the new FY2020 CDBG Award for the Non-Administration Section. Funding is provided by the U.S. Department of Urban Development. The prior award was for \$669,606.00. The CDBG section of the award combines to total \$4,135,131.00.

G. Community Development		
DV220165 – CDBG		
Other Expenses	\$	2,825,702.00

The Department of Development is requesting an appropriation increase of \$2,825,702.00 in the CDBG Zone of Community Development. This is to support the new FY2020 CDBG Award for the Project Plan Section. Funding is provided by the U.S. Department of Urban Development. The prior award was for \$2,546,993.00. The CDBG section of the award combines to total \$4,135,131.00.

H. Community Development		
DV220135 – HOME		
Personal Services	\$	67,854.35
Other Expenses	\$	19,999.65

The Department of Development is requesting an appropriation increase of \$82,354.00 in the CDBG Zone of Community Development. This is to support the new FY2020 CDBG HOME Award for the Administrative Section. Funding is provided by the U.S. Department of Urban Development. The prior award was for \$165,610.00. The CDBG HOME section of the award combines to total \$2,725,711.00.

I. Community Development		
DV220135 – HOME		
Other Expenses	\$	2,643,357.00

The Department of Development is requesting an appropriation increase of \$2,643,357.00 in the CDBG Zone of Community Development. This is to support the new FY2020 CDBG Award for the Administrative Section. Funding is provided by the U.S. Department of Urban Development. The prior award was for \$2,271,465.00. The CDBG section of the award combines to total \$2,725,711.00.

J. Community Development		
DV220165 – CDBG		
Personal Services	\$	598,564.31
Other Expenses	\$	233,050.00

The Department of Development is requesting an appropriation increase of \$831,614.31 in the CDBG Zone of Community Development. This is to support the new FY2020 CDBG Award for the Administration Section. Funding is provided by the U.S. Department of Urban Development. The prior award was for \$758,300.00. The CDBG section of the award combines to total \$4,135,131.00.

K. Community Development		
DV220160 - ESG		
Other Expenses	\$	349,265.00

The Department of Development is requesting an appropriation increase of \$349,265.00 in the CDBG Zone of Community Development. This is to support the new FY2020 CDBG Award for the Emergency Solutions Grant. Funding is provided by the U.S. Department of Urban Development. The prior award was for \$330,473.00.

L. Other Judicial		
CP285180 – DOJ/BJA Medication-Assisted TR		
Personal Services	\$	679,545.00
Other Expenses	\$	1,320,455.00

Common Pleas Court is seeking an appropriation increase for \$2,000,000.00. This is to support the new Substance Abuse Mental Health Services Administration (SAMHSA) MAT Grant. Funding is provided by the U.S Department of Health and Human Services for the period of 5/31/2019 through 5/30/2024.

**SECTION 2.** That the 2020/2021 Biennial Operating Budget for 2020 be amended to provide for the following cash transfers between County funds:

**Fund Nos./Budget Accounts**

A. FROM: Other Judicial		
CP285170 – CCA Probation Improve/Incentive		
Transfer Out	\$	7,947.00
General Fund		
CP100105 – Jud/General		
Transfer Out	\$	4,950.00
TO: Other Judicial		
CP285170 – CCA Probation Improve/Incentive		
Revenue Transfer	\$	12,897.00

Common Pleas Court is requesting an Operating Transfer of \$12,897.00. This is to support the cash match for the NORD Foundation Grant awarded to the Court. Funding is for the cash match is provided by a combination of dollars from the Court’s JRIG and T-CAP grants as well as the General Fund.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC038  
April 14, 2020



To: Jeanne Schmotzer, Clerk of County Council

From: Walter Parfejewiec, Office of Budget and Management

Date: April 7, 2020

Re: Fiscal Agenda – 4/14/2020

cc: Michael Chambers, Fiscal Office; Mary Louise Madigan, Communications

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 **April 14, 2020**. The requested fiscal items, including additional appropriations, appropriation transfers, and cash transfers, are necessary to reconcile the originally adopted 2020 Budget. Items of note on this agenda include:

- Request to amend various appropriations, adding appropriation to the 2020 budget to cover expenditures thru year end.
- Request to provide appropriations for various grants that have been awarded.

**Additional Appropriation Summary** – Additional appropriation is requested to cover expenditures that exceed 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	Purpose
Dept. of Information Technology	\$7,873,799.00	General Fund	Additional Appropriation
Fiscal Office	\$7,776,781.00	General Fund	Additional Appropriation
Dept. of Development	\$10,862,314.00	Special Revenue/Community Development Block Grant	Grant Appropriation
Common Pleas	\$2,000,000.00	Special Revenue/SAMHSA MAT Grant	Grant Appropriation

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

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

<b>Department</b>	<b>Amount Transferred</b>	<b>Funding Source</b>	<b>Purpose</b>
Common Pleas	\$4,950.00	General Fund	Cash Transfer



Cuyahoga County  
 Department of Information Technology  
 Enterprise Resource Planning (ERP)  
 2020 Appropriation Request  
 Phase 1 (Completion Date: August 31, 2020)

Budget Line:	Duration	Total	Detail
<b>Personnel:</b>			
<b>Salary-Capitalized</b>	February August, 2020	<b>1,018,371</b>	Based on historical Charges
Fringe Benefits-Capitalized:			
Flex Benefits	February August, 2021	42,957	Based on historical Charges
OPERS	February August, 2022	142,340	Based on historical Charges
Medicare	February August, 2023	14,292	Based on historical Charges
<b>Fringe Benefits-Capitalized</b>	February August, 2024	<b>199,589</b>	Based on historical Charges
<b>Subtotal Personnel</b>		<b>1,217,960</b>	
<b>Other Expenses:</b>			
Contracts:			
ZCO Consulting, LLC	January - June, 2020	81,400	Third Party Assurance
Infor Public Sector US	January - August, 2020	4,980,376	Professional Services (through Change Order 51)
Infor Public Sector US	April - July, 2020	483,768	Professional Services (Change Order 52 for Payroll and WFM)
Infor Public Sector US	April - August, 2020	27,000	Professional Services (Requesting new Change Order 53 for Training Assistance)
Infor Public Sector US	April - August, 2020	75,000	Professional Services (Requesting New Change Order for changes to Payroll and WFM as a result of UAT)
Infor Public Sector US	April - August, 2020	10,000	Professional Services (Requesting New Change Order to revise Fiscal and Procurement approval process)
Main Sail, LLC	January - June, 2020	174,844	Staff Augmentation (9 contractors) for ERP Project
Main Sail, LLC	July - August, 2020	384,451	Additional time to complete Phase 1
DWR Consulting	January - June, 2020	38,000	Mainframe support for Payroll
DWR Consulting	July - August, 2020	30,000	Additional mainframe support for expansion of Payroll and WFM to complete Phase 1
Unify Solutions	January - August, 2020	110,000	Data migration from SAP to ERP to complete Phase 1
<b>Contracts</b>		<b>6,394,839</b>	
<b>Hardware</b>		<b>261,000</b>	Infrastructure including data storage, time clocks, printers, scanner MICR ink, etc.
<b>Subtotal Other Expenses</b>		<b>6,655,839</b>	
<b>Total Appropriation Request</b>		<b>7,873,799</b>	

# County Council of Cuyahoga County, Ohio

## Resolution No. R2020-0080

Sponsored by: <b>County Executive Budish/Department of Law and County Sheriff</b>	<b>A Resolution</b> approving a Collective Bargaining Agreement between Cuyahoga County and Ohio Patrolmen’s Benevolent Association representing approximately 18 Deputy Sergeants at the Sheriff’s Department for the period 1/1/2019 - 12/31/2021; 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.
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WHEREAS, Cuyahoga County has been engaged in negotiations with the Ohio Patrolmen’s Benevolent Association (hereinafter “OPBA”) in an effort to negotiate a successor collective bargaining agreement (“CBA”) that includes approximately 18 Deputy Sergeants at the Cuyahoga County Sheriff’s Department; and,

WHEREAS, the parties have met on multiple occasions in a consolidated effort to negotiate new terms and have reached a tentative agreement on a single successor collective bargaining agreement; and,

WHEREAS, the members of the bargaining unit met and voted to ratify the proposed successor collective bargaining agreement in full; and,

WHEREAS, O.R.C. 4117.10 (B) requires that a public employer submit a request for funds necessary to implement an agreement, and for approval of any other matter requiring the approval of the appropriate legislative body to the legislative body within thirty days of the date on which the parties finalize the agreement, unless otherwise specified or if the legislative body is not in session at the time, then within fourteen days after it convenes; and,

WHEREAS, O.R.C. 4117.10(B) further states that the legislative body must approve or reject the submission as a whole, and the submission is deemed approved if the legislative body fails to act within thirty days after the public employer submits the agreement; and,

WHEREAS, the County Executive, County Sheriff and the Department of Law, are recommending that Council approve the proposed Collective Bargaining Agreement for the period 1/1/2019 – 12/31/2021; and,

WHEREAS, it is necessary that this Resolution become immediately effective to ensure the efficient operation of the Cuyahoga County Sheriff's Department.

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

**SECTION 1.** The Cuyahoga County Council hereby approves a Collective Bargaining Agreement between Cuyahoga County and Ohio Patrolmen's Benevolent Association representing approximately 18 Deputy Sergeants at the Sheriff's Department for the period 1/1/2019 - 12/31/2021 and authorizes the County Executive to execute all documents consistent with this Resolution.

**SECTION 2.** Funds necessary to implement the CBA between the County and OPBA (Deputy Sergeants Bargaining Unit) shall be budgeted and appropriated.

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC038  
April 14, 2020

# County Council of Cuyahoga County, Ohio

## Resolution No. R2020-0081

Sponsored by: <b>County Executive Budish/Department of Public Works</b>	<b>A Resolution</b> authorizing an amendment to a revenue generating Agreement with City of Berea for maintenance and repair of storm sewers and sanitary sewers located in County Sewer District No. 8 for the period 6/1/2017 - 3/31/2020 to extend the time period to 3/31/2021 and for additional revenue in the amount not-to-exceed \$1,600,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works has recommended an amendment to a revenue generating Agreement with City of Berea for maintenance and repair of storm sewers and sanitary sewers located in County Sewer District No. 8 for the period 6/1/2017 - 3/31/2020 to extend the time period to 3/31/2021 and for additional revenue in the amount not-to-exceed \$1,600,000.00; and

WHEREAS, the City of Berea desires to retain Cuyahoga County to perform certain services for the City of Berea to aid with the maintenance and repair of storm and sanitary sewers located in County Sewer District No. 8; and

WHEREAS, pursuant to R.C.§307.15, a county may contract with any municipal corporation to render any service, on behalf of the municipal corporation; and

WHEREAS, the project is located in County Council District 5; 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 a revenue generating Agreement with City of Berea for maintenance and repair of storm sewers and sanitary sewers located in County Sewer District No.

8 for the period 6/1/2017 - 3/31/2020 to extend the time period to 3/31/2021 and for additional revenue in the amount not-to-exceed \$1,600,000.00.

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

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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

**DPW 2020, [City of Berea](#) Revenue Generating 4th Amendment to Sewer Maintenance Agreement, \$1,600,000 plus time extension until March 31, 2021.**

**SUMMARY OF REQUESTED ACTION:**

**A. Scope of Work Summary:**

1. Department of Public Works is requesting approval of this Fourth Amendment to the Sewer Maintenance Agreement between the City of Berea and the County of Cuyahoga for an additional \$1,600,000 in revenue generating funds and a time extension until March 31, 2021. This Fourth Amendment to the Sewer Maintenance Agreement is an update to the previous Berea Sewer Maintenance Agreement First Amendment which extended their 2017 Agreement until December 31, 2018 and added \$300,000 in additional funds (**BC2018-446**) and their Second Amendment for a time extension until March 31, 2019 (**BC2019-17**) and their Third Amendment for a time extension until March 31, 2020 and \$110,000 in additional funds (**BC2019-239**).
  - a. The primary goal is for the County to continue to assist with sanitary and storm sewer maintenance within the City of Berea. [This is a revenue generating direct bill agreement.](#)
  - b. The location of the project is Berea
  - c. The project is located in Council District 5.

**B. Procurement**

1. Identify the original procurement method on contract/purchase. **No requisition #- no contract #**
  - a. This is an update to the 2018 Sewer Maintenance Agreement First Amendment with the City of Berea (BC2018-446) and Second Amendment (BC2019-17) and Third Amendment (BC2019-239). This 4<sup>th</sup> Amendment is for \$1,600,000 and a time extension until March 31, 2021.
  - b. N/A
  - c. N/A

**C. Contractor and Project Information**

1. The address is:
  - City of Berea
  - 11 Berea Commons
  - Berea, Ohio 44017
  - Council District 5
2. N/A

**D. Project Status & Planning**

1. N/A

**E. Funding**

1. This is a Revenue Generating government to government direct bill Agreement.
2. [INFOR PO# is 20000748. PW715100-52000](#) (City of Berea sewer district code is SWD 0806)
3. The schedule of payments is by direct bill invoice.



# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2020-12

By Jim Maxwell Sponsored By Mayor Cyril M. Kleem

## AN ORDINANCE

**AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO AMEND A CONTRACT WITH THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC WORKS TO EXTEND THE TERM OF THE CONTRACT AND TO INCREASE THE MAXIMUM FEES IN PROVIDING CERTAIN SERVICES RELATIVE TO THE CITY SEWERS, AS DETERMINED FROM TIME-TO-TIME, TO FURTHER ADVANCE THE CITY'S SANITARY AND STORM SEWER MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Berea owns and operates certain sanitary and storm sewers, catch basins, manholes, culverts and storm water detention and retention basins located in the public right-of-way and in or along easements, excluding any sanitary sewers owned and maintained by the Northeast Ohio Regional Sewer District; and

**WHEREAS**, the Council of the City of Berea authorized the Director of Public Service to enter into a contract with the Cuyahoga County Department of Public Service in Ordinance No. 2017-34 to provide certain services relative to the City sewers, as determined from time-to-time, to further advance the City's sanitary and storm sewer maintenance program; and;

**WHEREAS**, on or about July 17, 2018, the Council of the City of Berea authorized extending the contract through December 31, 2018 and appropriated additional funding thereto; and

**WHEREAS**, on or about January 8, 2019, the parties entered into a Second Amendment to extend the term of the Agreement to March 31, 2019; and

**WHEREAS**, on or about March 4, 2019, the parties entered into a Third Amendment to extend the term of the Agreement to March 31, 2020; and

**WHEREAS**, the parties desire to enter into a Fourth Amendment to extend the term of the Agreement to March 31, 2021 and increase the contract by 1,600,000.00; and

**WHEREAS**, in order to continue providing services to the City from March 31, 2020 to March 31, 2021, the County requires that the Council of the City of Berea formally extend the term of the existing contract, as amended; and

**WHEREAS**, the City and the Cuyahoga County Department of Public Works wish to amend the contract to extend its term through March 31, 2021.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Berea, State of Ohio:

**SECTION 1.** That the Director of Public Service be, and hereby is authorized to enter into a fourth amendment to the contract, in substantially the same form as Exhibit "A", attached hereto and incorporated herein, with the Cuyahoga County Department of Public Works to provide additional services relative to the City sewers from March 31, 2020 to March 31, 2021, as determined from time-to-time, to further advance the City's sanitary and storm sewer maintenance program.

**SECTION 2.** That the Director of Finance be, and hereby is, authorized and directed to pay out such contract sum(s) and charge the same to, and the funds therefor are hereby appropriated from the Sewer Capital Improvement Fund, designated for accounting purposes as Fund No. 420 and the Sewer Revenue Fund, designated for accounting purposes as Fund No. 520, for the purposes set forth in Section 1 hereinabove.

# COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2020-12

By Maxwell Sponsored By Mayor Kleem

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

**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that certain services relative to the City's sanitary and storm sewer maintenance program will be allowed to continue without interruption. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: March 23, 2020 [Signature]  
President of Council

ATTEST: [Signature]  
Clerk of Council

APPROVED: March 24, 2020  
[Signature]  
Mayor

Approved as to Form:  
[Signature]  
Director of Law

Exh. "A"

**FOURTH AMENDMENT  
TO  
AGREEMENT  
BETWEEN  
COUNTY OF CUYAHOGA, OHIO  
AND  
CITY OF BEREA, OHIO**

This FOURTH AMENDMENT ("Amendment") made this date upon which this Amendment is fully executed by both parties ("Effective Date") by and between the County of Cuyahoga, Ohio, a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof, (the "COUNTY"), on behalf of the Cuyahoga County Department of Public Works (hereinafter referred to as "CCDPW"), and the City of Berea (hereinafter referred to as "CITY"), a municipal corporation of the State of Ohio, pursuant to the authority of Ordinance No. 2020-12 passed by Berea City Council on March 23, 2020.

**RECITALS:**

**WHEREAS**, the COUNTY and CITY entered into a sanitary and storm sewer maintenance agreement for the period June 1, 2017 to December 31, 2017 for an amount not to exceed \$150,000.00 (the "Agreement"); and

**WHEREAS**, on or about July 17, 2018 the parties entered into a First Amendment to extend the term of the Agreement to December 31, 2018 and increase the contract amount by \$300,000.00; and

**WHEREAS**, on or about January 8, 2019 the parties entered into a Second Amendment to extend the term of the Agreement to March 31, 2019; and

**WHEREAS**, on or about March 26, 2019 the parties entered into a Third Amendment to extend the term of the Agreement to March 31, 2020 and increase the contract amount by \$110,000.00;

**WHEREAS**, the parties desire to enter into a Fourth Amendment to extend the term of the Agreement to March 31, 2021 and increase the contract amount by \$1,600,000.00.

**WHEREAS**, the parties agree to the terms and conditions indicated herein below.

**NOW THEREFORE**, in consideration of the mutual promises and obligations herein to be observed and performed by the parties hereto, the parties hereby agree as follows:

**I. INCORPORATION**

- A. The original Agreement, together with the amendments, are herein collectively referred to as the "Agreement." The foregoing recitals are incorporated in the Agreement as if fully rewritten herein.
- B. The provisions of this Amendment are incorporated into the original Agreement, as if fully rewritten in the Agreement. All terms used in this Amendment shall be defined and construed in the manner set forth in the original Agreement. Except as otherwise provided in, or as otherwise necessary or appropriate to give effect to the terms of this Amendment, all the provisions, terms, and conditions contained in the Contract and not inconsistent with this Amendment shall remain unchanged and in full force and effect. In the event of any conflict between the original Agreement and this Amendment, the terms, the conditions and provisions of this Amendment shall control.

II. TERM

The term of the Agreement is extended from April 1, 2020 to March 31, 2021, unless otherwise canceled or terminated under the terms of the Agreement. The Effective Date of this Amendment is the date this Amendment has been duly executed by the County Executive or his duly authorized designee.

III. COMPENSATION

The contract amount is hereby increased by \$1,600,000.00.

IV. ELECTRONIC SIGNATURE

CITY AGREES ON BEHALF OF THE SUBMITTING BUSINESS ENTITY, ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, SUBGRANTEES, AGENTS OR ASSIGNS, THAT ALL AMENDMENT DOCUMENTS REQUIRING COUNTY SIGNATURES MAY BE EXECUTED BY ELECTRONIC MEANS, AND THAT THE ELECTRONIC SIGNATURES AFFIXED BY THE COUNTY TO SAID DOCUMENTS SHALL HAVE THE SAME LEGAL EFFECT AS IF THAT SIGNATURE WAS MANUALLY AFFIXED TO A PAPER VERSION OF THE DOCUMENT. CITY ALSO AGREES ON BEHALF OF THE AFOREMENTIONED ENTITY AND PERSONS, TO BE BOUND BY THE PROVISIONS OF CHAPTERS 304 AND 1306 OF THE OHIO REVISED CODE AS THEY PERTAIN TO ELECTRONIC TRANSACTIONS, AND TO COMPLY WITH THE ELECTRONIC SIGNATURE POLICY OF CUYAHOGA COUNTY.

IN WITNESS WHEREOF, the parties have caused this Amendment to be executed on the day and year first above mentioned.

**COUNTY OF CUYAHOGA, OHIO**

By: \_\_\_\_\_  
Armond Budish, County Executive

Date: \_\_\_\_\_

Approved as to legal form:

\_\_\_\_\_  
Assistant Law Director  
Cuyahoga County

**CITY OF BEREA, OHIO**

By: \_\_\_\_\_  
Cyril Kleem, Mayor

Date: \_\_\_\_\_

Approved as to legal form:

\_\_\_\_\_  
Director of Law  
City of Berea

## Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Time Period	Accounting Unit	Account Number	Activity Code	Dollar Amount
4/1/2020 – 3/31/2021	PW715100	52000	SWD 0806	<b>\$1,600,000 (rev generating)</b>
			<b>TOTAL</b>	1,600,000

<b>Current Contract History:</b> CE/AG# (if applicable)	N/A
<b>Infor/Lawson PO#:</b>	20000748 REVG
<b>BuySpeed or Lawson RQ#</b> (if applicable)	

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
<b>Original Amount</b>	\$150,000		12/31/2017	6/19/2017	2017-34
<b>Prior Amendment Amounts</b> (list separately)		\$300,000	12/31/2018	7/16/2018	BC2018-446
		<b>\$time extension</b>	3/31/2019	1/7/2019	BC2019-17
		\$110,000	3/31/2020	3/25/2019	BC2019-239
<b>Pending Amendment</b>		\$1,600,000	3/31/2021		
<b>Total Amendments</b>		\$2,010,000			
<b>Total Contact Amount</b>		\$2,160,000			

### OPD Use Only:

Prior Resolutions	BC2019-239; BC2017-17; BC2018-446; 2017-34
PO#	20000748 REVG
Vendor Name	City of Berea
ftp:	April 1, 2020 – March 31, 2021.
Amount	1,600,000.00
History/CE	✓
W-9	n/a
EL	✓
Procurement	Item is a revenue generating agreement with the City of Berea. The revenue is

## Office of Procurement and Diversity – Required Documents Checklist

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Upload as “word” document in OnBase Document Management

Notes:	1,6000,000.00.
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OPD Buyer approval: **MH.**

# County Council of Cuyahoga County, Ohio

## Resolution No. R2020-0082

<p>Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b></p>	<p><b>A Resolution</b> amending Resolution No. R2019-0018 dated 2/12/2019, which declared that public convenience and welfare requires resurfacing Brainard Road in the Cities of Highland Heights and Lyndhurst, by changing the termini from Cedar Road to Wilson Mills Road to Falkirk Road to Wilson Mills Road; making an award on RQ47967 to Perk Company, Inc. in the amount not-to-exceed \$3,028,622.80 for resurfacing Brainard Road from said termini in said municipalities; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$302,862.28 to fund a portion of said contract; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended (a) amending Resolution No. R2019-0018 dated 2/12/2019, which declared that public convenience and welfare requires resurfacing Brainard Road in the Cities of Highland Heights and Lyndhurst, by changing the termini from Cedar Road to Wilson Mills Road to Falkirk Road to Wilson Mills Road; (b) making an award on RQ47967 to Perk Company, Inc. in the amount not-to-exceed \$3,028,622.80 for resurfacing Brainard Road from said termini in said municipalities; and (c) authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$302,862.28 to fund a portion of said contract; and

WHEREAS, the resurfacing of a certain portion of Brainard Road between Falkirk Road and Cedar Road has already been funded and performed by another agency; and

WHEREAS, the anticipated start-completion dates are 5/29/2020 - 11/30/2020; and

WHEREAS, the project is funded as follows: a) 80% from Federal Funds; b) 10% from County Motor Vehicle \$5.00 License Tax Funds and c) 10% from Municipalities; and

WHEREAS, the project is located in County Council District 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 amends Resolution No. R2019-0018 dated 2/12/2019, which declared that public convenience and welfare requires resurfacing Brainard Road in the Cities of Highland Heights and Lyndhurst, by changing the termini from Cedar Road to Wilson Mills Road to Falkirk Road to Wilson Mills Road and makes an award on RQ47967 to Perk Company, Inc. in the amount not-to-exceed \$3,028,622.80 for resurfacing Brainard Road from said termini in said municipalities.

**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.** That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$302,862.28 to fund a portion of said contract.

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

**SECTION 5.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that



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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

First Reading/Referred to Committee:

Committee(s) Assigned:

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

## SUMMARY OF REQUESTED ACTION

### **Public Works, Amending R2019-0018 to change the termini from Cedar Road to Wilson Mills Road to Falkirk Road to Wilson Mills Road and to Contract Award/Execution, Brainard Rd. Resurfacing of Existing Roadway from Falkirk Rd. to Wilson Mills Rd. in the cities of Lyndhurst and Highland Heights, Ohio**

#### **A. Scope of Work Summary**

- Public Works is amending resolution R2019-0018 to change the termini of the project from Cedar Road to Wilson Mills Road to Falkirk Road to Wilson Mills Road due to improvements completed by others from Cedar Road to Falkirk Road. And recommending an award on RQ47967 (PO20000586) and requesting to enter into a contract with Perk Company, Inc. for the [Resurfacing of Brainard Rd. from Falkirk to Wilson Mills Rd](#) in the amount [not-to-exceed \\$3,028,622.80](#). The anticipated start-completion dates are May 29, 2020- November 30, 2020.
- The primary goal is to complete the project per plans and specifications.

#### **B. Procurement**

- The RFB was closed on February 26, 2020.
- There were seven (7) bids pulled from OPD, five (5) bids were submitted for review.
- ODOT assessed a 7% DBE Goal. Perk Company, Inc. was found to be compliant.

#### **C. Contractor Information**

- Perk Company, Inc., 8100 Grand Ave. Suite 300, Cleveland, OH 44104.
- Council District 11.
- The primary owner(s) is Anthony Cifani, Secretary, Treasurer.

#### **D. Project Status**

- Plans and specifications are complete upon receipt of an executed contract the contractor will be given a notice to proceed with construction.

#### **E. Funding**

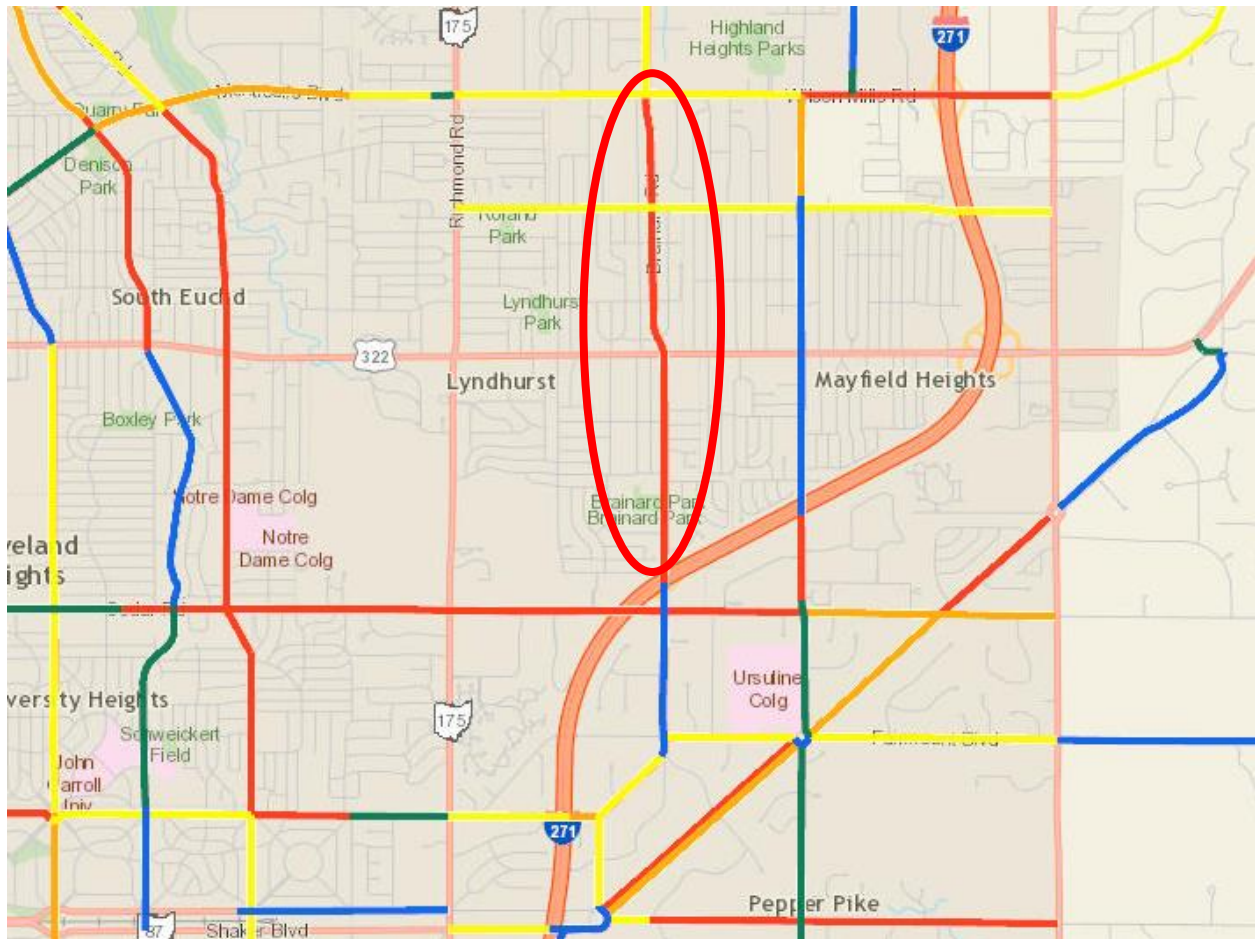
- 80% Federal, 10% County (\$5), 10% Cities.
- Contractor will be paid base on worked completed in a time period.



# CUYAHOGA COUNTY DEPARTMENT of PUBLIC WORKS

## Project Fact Sheet – Brainard Road, Highland Heights and Lyndhurst

<b>Project Type</b>	Roadway resurfacing
<b>Project Limits</b>	Falkirk Road to Wilson Mills Road
<b>Project Length</b>	2.3 miles
<b>Average Daily Traffic</b>	19,370 vehicles per day
<b>NOACA Pavement Rating</b>	<b>Fair to Poor (61 PCR)</b>
<b>Council Districts</b>	6 and 11
<b>Project Construction Cost</b>	\$3,700,000
<b>Proposed Funding</b>	80% Federal (\$2,960,000), 10% County (370,000), 8% Lyndhurst (\$296,000), 2% Highland Heights (\$74,000)
<b>Project Design Cost</b>	Cuyahoga County Department of Public Works
<b>Construction Admin</b>	Cuyahoga County Department of Public Works





## Office of Procurement and Diversity Tabulation Sheet

REQUISITION NUMBER: 47967	TYPE: (RFB/RFP/RFQ): RFB	ESTIMATE: \$3,730,905.25
CONTRACT PERIOD: ••	RFB/RFP/RFQ DUE DATE:	NUMBER OF RESPONSES (issued/submitted): 8/5
REQUESTING DEPARTMENT: Department of Public Works	COMMODITY DESCRIPTION: Cuy-Brainard Rod Resurfacing of existing Roadway from Falkirk Rd to Wilson Rd Cities of Lyndhurst and Highland Hts	
DIVERSITY GOAL/DBE 8%	DIVERSITY GOAL/MBE 0%	DIVERSITY GOAL/WBE 0%
Does CCBB Apply: <input type="checkbox"/> Yes <input type="checkbox"/> No	CCBB: Low Non-CCBB Bid \$:	Add 2%, Total is:
Does CCBEIP Apply: <input type="checkbox"/> Yes <input type="checkbox"/> No	CCBEIP: Low Non-CCBEIP Bid \$:	Add 2%, Total is:
*PRICE PREFERENCE LOWEST BID REC'D \$	RANGE OF LOWEST BID REC'D \$	Minus \$, =
PRICE PREF % & \$ LIMIT:	MAX SBE/MBE/WBE PRICE PREF \$	DOES PRICE PREFERENCE APPLY? <input type="checkbox"/> Yes <input type="checkbox"/> No

#	Bidder's/Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Price Preference	CCBB / CCBEIP Registered	Diversity Program Review: SBE / MBE / WBE	Dept. Tech. Review	Award: (Y/N)
1.	Perk Company, Inc 8100 Grand Ave Ste 300 Cleveland OH 44104	100% Hudson Insurance Company	\$3,028,622.80	Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-2187 NCA: <input checked="" type="checkbox"/> Yes PH: <input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Yes <input type="checkbox"/> No	CCBB <input type="checkbox"/> Yes <input type="checkbox"/> No  CCBEIP <input type="checkbox"/> Yes <input type="checkbox"/> No	Subcontractor Name(s):	..... ..... ..... ..... .....	<input type="checkbox"/> Yes <input type="checkbox"/> No

Transaction ID:

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Price Preference	CCBB / CCBEIP Registered	Diversity Program Review: SBE / MBE / WBE	Dept. Tech. Review	Award: (Y/N)										
				CCBB: <input checked="" type="checkbox"/> N/A CCBEIP: <input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> N/A  Work Types Worksheet: <input checked="" type="checkbox"/> Yes  Drug Free: <input checked="" type="checkbox"/> Yes  EEO Cert Form: <input checked="" type="checkbox"/> Yes  Affirmative Action: <input checked="" type="checkbox"/> Yes  Buy American Cert: <input checked="" type="checkbox"/> Yes  OPD Buyer Initials: TMN			<table border="1"> <tr> <td data-bbox="1073 391 1253 532">SBE/MBE/WBE Prime: (Y/N)</td> <td data-bbox="1253 391 1673 532"> <input type="checkbox"/> Yes <input type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE  <input type="checkbox"/> No         </td> </tr> <tr> <td data-bbox="1073 532 1253 634">Total %</td> <td data-bbox="1253 532 1673 634">SBE: ___% MBE: ___% WBE: ___%</td> </tr> <tr> <td data-bbox="1073 634 1253 824">SBE/MBE/WBE Comply: (Y/N)</td> <td data-bbox="1253 634 1673 824"> <input type="checkbox"/> Yes  <input type="checkbox"/> No         </td> </tr> <tr> <td data-bbox="1073 824 1253 987">SBE/MBE/WBE Comments and Initials:</td> <td data-bbox="1253 824 1673 987"></td> </tr> <tr> <td data-bbox="1073 987 1253 1131"></td> <td data-bbox="1253 987 1673 1131"></td> </tr> </table>	SBE/MBE/WBE Prime: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> No	Total %	SBE: ___% MBE: ___% WBE: ___%	SBE/MBE/WBE Comply: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> No	SBE/MBE/WBE Comments and Initials:					
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2.	CATTs Construction Inc 21223 Aurora Road Warrensville Hts. OH 44146	100% The Guarantee Company of North America USA	\$3,204,900.00	Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 16-0072 NCA: <input checked="" type="checkbox"/> Yes PH: <input checked="" type="checkbox"/> Yes CCBB: <input checked="" type="checkbox"/> N/A CCBEIP: <input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> N/A  Work Types Worksheet: <input checked="" type="checkbox"/> Yes  Drug Free: <input checked="" type="checkbox"/> Yes  EEO Cert Form: <input checked="" type="checkbox"/> Yes  Affirmative Action: <input checked="" type="checkbox"/> Yes  Buy American Cert: <input checked="" type="checkbox"/> Yes  OPD Buyer	<input type="checkbox"/> Yes <input type="checkbox"/> No	CCBB <input type="checkbox"/> Yes <input type="checkbox"/> No  CCBEIP <input type="checkbox"/> Yes <input type="checkbox"/> No	Subcontractor Name(s):			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
							SBE/MBE/WBE Prime: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> No		
							Total %	SBE: ___ % MBE: ___ % WBE: ___ %		
							SBE/MBE/WBE Comply: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> No		
							SBE/MBE/WBE Comments and Initials:			

Transaction ID:

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Price Preference	CCBB / CCBEIP Registered	Diversity Program Review: SBE / MBE / WBE	Dept. Tech. Review	Award: (Y/N)
				Initials: TMN					

Transaction ID:

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Price Preference	CCBB / CCBEIP Registered	Diversity Program Review: SBE / MBE / WBE		Dept. Tech. Review	Award: (Y/N)
3.	Karvo Companies Inc 4524 Hudson Dr Stow OH 44224	100% The Cincinnati Insurance Company	\$3,438,146.70	Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-1647 NCA: <input checked="" type="checkbox"/> Yes PH: <input checked="" type="checkbox"/> Yes CCBB: <input checked="" type="checkbox"/> N/A CCBEIP: <input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> N/A  Work Types Worksheet: <input checked="" type="checkbox"/> Yes  Drug Free: <input checked="" type="checkbox"/> Yes  EEO Cert Form: <input checked="" type="checkbox"/> Yes  Affirmative Action: <input checked="" type="checkbox"/> Yes  Buy American Cert: <input checked="" type="checkbox"/> Yes  OPD Buyer	<input type="checkbox"/> Yes <input type="checkbox"/> No	CCBB <input type="checkbox"/> Yes <input type="checkbox"/> No  CCBEIP <input type="checkbox"/> Yes <input type="checkbox"/> No	Subcontractor Name(s):			<input type="checkbox"/> Yes <input type="checkbox"/> No
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						SBE/MBE/WBE Comments and Initials:				

Transaction ID:



Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Price Preference	CCBB / CCBEIP Registered	Diversity Program Review: SBE / MBE / WBE	Dept. Tech. Review	Award: (Y/N)
			Initials: TMN					

Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Price Preference	CCBB / CCBEIP Registered	Diversity Program Review: SBE / MBE / WBE	Dept. Tech. Review	Award: (Y/N)
4. Chagrin Valley Paving 17290 Munn Rd Chagrin Falls OH 44023	100% Merchants Bonding Company (Mutual)	\$3,454,452.40	Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-0807 NCA: <input checked="" type="checkbox"/> Yes PH: <input checked="" type="checkbox"/> Yes CCBB: <input checked="" type="checkbox"/> N/A CCBEIP: <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes <input type="checkbox"/> No	CCBB <input type="checkbox"/> Yes <input type="checkbox"/> No  CCBEIP <input type="checkbox"/> Yes <input type="checkbox"/> No	Subcontractor Name(s):   SBE/MBE/WBE Prime: (Y/N)		<input type="checkbox"/> Yes <input type="checkbox"/> No

Transaction ID:

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				COOP: <input checked="" type="checkbox"/> N/A  Work Types Worksheet: <input checked="" type="checkbox"/> Yes  Drug Free: <input checked="" type="checkbox"/> Yes  EEO Cert Form: <input checked="" type="checkbox"/> Yes  Affirmative Action: <input checked="" type="checkbox"/> Yes  Buy American Cert: <input checked="" type="checkbox"/> Yes  OPD Buyer Initials: TMN			Total %	SBE: ___% MBE: ___% WBE: ___%		
							SBE/MBE/WBE Comply: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> No		
							SBE/MBE/WBE Comments and Initials:			

Transaction ID:

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Price Preference	CCBB / CCBEIP Registered	Diversity Program Review: SBE / MBE / WBE		Dept. Tech. Review	Award: (Y/N)											
5.	CA Agresta Construction Company	100% Merchants Bonding Company (Mutual)	\$3,574,336.70	Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-0714 NCA: <input checked="" type="checkbox"/> Yes PH: <input checked="" type="checkbox"/> Yes CCBB: <input checked="" type="checkbox"/> N/A CCBEIP: <input checked="" type="checkbox"/> N/A COOP: <input checked="" type="checkbox"/> N/A Work Types Worksheet: <input checked="" type="checkbox"/> Yes Drug Free: <input checked="" type="checkbox"/> Yes EEO Cert Form: <input checked="" type="checkbox"/> Yes Affirmative Action: <input checked="" type="checkbox"/> Yes Buy American Cert: <input checked="" type="checkbox"/> Yes OPD Buyer	<input type="checkbox"/> Yes <input type="checkbox"/> No	CCBB <input type="checkbox"/> Yes <input type="checkbox"/> No CCBEIP <input type="checkbox"/> Yes <input type="checkbox"/> No	<table border="1"> <tr> <td data-bbox="1073 391 1255 589">Subcontractor Name(s):</td> <td data-bbox="1255 391 1682 589"></td> </tr> <tr> <td data-bbox="1073 589 1255 732">SBE/MBE/WBE Prime: (Y/N)</td> <td data-bbox="1255 589 1682 732"> <input type="checkbox"/> Yes <input type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE  <input type="checkbox"/> No         </td> </tr> <tr> <td data-bbox="1073 732 1255 833">Total %</td> <td data-bbox="1255 732 1682 833">SBE: ___ % MBE: ___ % WBE: ___ %</td> </tr> <tr> <td data-bbox="1073 833 1255 1024">SBE/MBE/WBE Comply: (Y/N)</td> <td data-bbox="1255 833 1682 1024"> <input type="checkbox"/> Yes  <input type="checkbox"/> No         </td> </tr> <tr> <td data-bbox="1073 1024 1255 1183">SBE/MBE/WBE Comments and Initials:</td> <td data-bbox="1255 1024 1682 1183"></td> </tr> <tr> <td data-bbox="1073 1183 1255 1310"></td> <td data-bbox="1255 1183 1682 1310"></td> </tr> </table>	Subcontractor Name(s):		SBE/MBE/WBE Prime: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> No	Total %	SBE: ___ % MBE: ___ % WBE: ___ %	SBE/MBE/WBE Comply: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> No	SBE/MBE/WBE Comments and Initials:					<input type="checkbox"/> Yes <input type="checkbox"/> No
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Transaction ID:

	Bidder's / Vendors Name and Address	Bid Bond / Check	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Price Preference	CCBB / CCBEIP Registered	Diversity Program Review: SBE / MBE / WBE	Dept. Tech. Review	Award: (Y/N)
				Initials: TMN					

Transaction ID:

# Department of Public Works Bid Tabulation

Monday, March 02, 2020  
11:13:11 AM

Bid Letting: 2/26/2020 Engineer's Estimate: \$3,730,905.25 RQ No.: 47967 Rep. No.: 09-20

Brainard Road from Falkirk Road to Wilson Mills Road; Resurfacing

Lyndhurst, Highland Heights

Low Bidder:	Perk Company, Inc.	\$3,028,622.80	-18.823%
	Catts Construction, Inc.	\$3,204,900.20	-14.099%
	Karvo Companies, Inc.	\$3,438,146.70	-7.847%
	Chagrin Valley Paving, Inc.	\$3,454,452.40	-7.410%
	C. A. Agresta Construction Co., Inc.	\$3,574,336.70	-4.197%

Notes:

# County Council of Cuyahoga County, Ohio

## Resolution No. R2020-0083

Sponsored by: <b>County Executive Budish/Departments of Public Works and Sustainability</b>	<b>A Resolution</b> authorizing an amendment to Contract No. CE1900152-02 with AEP Onsite Partners, LLC fka Enerlogics Solar LLC for the purchase of electricity generated by Rooftop Solar Systems installed at various County facilities in connection with the Aggregated Solar Project for the period 6/1/2019 - 5/31/2029 to change the scope of services, effective 3/1/2020, and for additional funds in the amount not-to-exceed \$624,466.74; 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/Departments of Public Works and Sustainability has recommended an amendment to Contract No. CE1900152-02 with AEP Onsite Partners, LLC fka Enerlogics Solar LLC for the purchase of electricity generated by Rooftop Solar Systems installed at various County facilities in connection with the Aggregated Solar Project for the period 6/1/2019 - 5/31/2029 to change the scope of services, effective 3/1/2020, and for additional funds in the amount not-to-exceed \$624,466.74; and

WHEREAS, the primary goal of this amendment is to expand the scope of services by adding solar energy installations at the Jane Edna Hunter Building, located at 3955 Euclid Avenue, Cleveland; and

WHEREAS, the County will purchase electricity from the rooftop solar systems at no upfront cost; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1900152-02 with AEP Onsite Partners, LLC fka Enerlogics Solar LLC for the purchase of electricity generated by Rooftop Solar Systems installed at various County facilities in connection with the Aggregated Solar Project for the period 6/1/2019 - 5/31/2029 to change the scope of services, effective 3/1/2020, and for additional funds in the amount not-to-exceed \$624,466.74.

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

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

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

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

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

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



**OnBase Item Detail Briefing Memo - Form**

Title:

**Department of Sustainability & Department of Public Works RQ# CT-18-43165 2020  
AEP Onsite Solar, Contract Amendment with AEP Onsite Partners, LLC for Rooftop  
Solar**

**A. Scope of Work Summary**

1. The Department of Sustainability and the Department of Public Works is requesting approval of a contract amendment with AEP Onsite Partners, LLC for the anticipated cost of \$624,466.74 bringing the total cost to \$1,761,561.

If the Project is not new to the County List the Prior Board Approval Number or Resolution Number.

- Original Contract - R2019-0097
- First Contract Amendment approved 9/12/2019 (processing only)

This is for a Power Purchase Agreement (PPA) for the County's rooftop solar projects. Currently, we have solar installed on the Animal Shelter and the Medical Examiner's Building. Solar will be installed on the Harvard Road Garage after roof repairs are made. This contract amendment is to add solar panels onto the Jane Edna Hunter Building. The anticipated start date of the contract is 3/1/2020.

2. The primary goals of the project are to purchase clean energy (solar power) and promote sustainability throughout the organization.

**B. Procurement**

1. The procurement method for this project was an RFP for the original contract. The total value of the RFP is \$1,761,561.

**C. Contractor and Project Information**

1. The address for the vendor is:

AEP Onsite Partners, LLC  
1 Riverside Plaza  
Columbus, OH 43215

2. The managing director for the vendor is Daniel Smies.

3.a The addresses or locations of the projects are:

Cuyahoga County Animal Shelter  
9500 Sweet Valley Dr.  
Valley View, OH 44125

Harvard Road Garage  
2500 Harvard Ave  
Newburgh Heights, OH 44105

Medical Examiner Building  
11001 Cedar Ave.  
Cleveland, OH 44106

Jane Edna Hunter Building  
3955 Euclid Avenue  
Cleveland, Ohio 44115

**D. Project Status and Planning**

1. The project is a power purchasing agreement.

**E. Funding**

1. The project is funded by the vendor. The vendor purchases and maintains the panels, then sells the power back to the County.
2. The schedule of payments is monthly.
3. The project is an amendment to a contract. This amendment adds solar panels onto the Jane Edna Hunter Building and is the second amendment of the contract. The history of the amendments is in 2019, we completed a contract amendment to change the vendor from Enerlogics Solar, LLC to AEP Onsite Partners, LLC due to an Asset Purchase Agreement between those two parties.

## Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Other documentation may be required depending upon your specific item

Glossary of Terms at: <http://intranet.cuyahoga.cc/en-US/ProcurementProcedures.aspx>

### Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
1/1/2020-12/31/2020	PW750100	55130		\$62,330.35
1/1/2021-12/31/2021	PW750100	55130		\$63,103.57
1/1/2022-12/31/2022	PW750100	55130		\$63,887.31
1/1/2023-12/31/2023	PW750100	55130		\$64,679.34
1/1/2024-12/31/2024	PW750100	55130		\$65,482.45
1/1/2025-12/31/2025	PW750100	55130		\$66,295.41
1/1/2026-12/31/2026	PW750100	55130		\$67,118.01
1/1/2027-12/31/2027	PW750100	55130		\$67,951.00
1/1/2028-12/31/2028	PW750100	55130		\$68,795.17
1/1/2029-5/31/2029	PW750100	55130		\$34,824.13
<b>Total</b>				<b>\$624,466.74</b>

<b>Current Contract History:</b> CE/AG# (if applicable)	CE1900152-02
<b>Infor/Lawson PO#:</b>	CE1900152-02

	Original Amount	Amendment Amount	Amended End Date	Approval Date	Approval #
<b>Original Amount</b>	<b>\$1,200,506.13</b>			<b>4/23/2019</b>	<b>R2019-0097</b>
<b>Prior Amendment Amounts (list separately)</b>		<b>\$0.00</b>	<b>5/31/2029</b>	<b>9/12/2019</b>	<b>N/A – Processing Only</b>
		\$		N/A	N/A
		\$			
<b>Pending Amendment</b>		<b>\$624,466.74</b>	<b>5/31/2029</b>		
<b>Total Amendments</b>		\$			
<b>Total Contact Amount</b>		<b>\$1,761,561</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>

### OPD Use Only:

Prior Resolutions	
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## **Office of Procurement and Diversity – Required Documents Checklist**

Upload as “word” document in OnBase Document Management

Amend	Amendment # 2 CE1900152-02
Vendor Name	AEP Onsite Partners LLC
ftp:	06/01/2019-05/31/2029
Amount	\$624,466.74
History/CE	✓
Addr	✓
W-9	✓
EL	✓
Procurement Notes:	Contract Amendment #2

OPD Buyer approval: ✓

# County Council of Cuyahoga County, Ohio

## Resolution No. R2020-0084

<b>Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services</b>	<b>A Resolution</b> authorizing a revenue generating agreement with The Cleveland Clinic Foundation in the amount not-to-exceed \$900,000.00 for six Medicaid Enrollment Eligibility Specialists for the period 1/1/2020 - 12/31/2021; authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services has recommended a revenue generating agreement with The Cleveland Clinic Foundation in the amount not-to-exceed \$900,000.00 for six Medicaid Enrollment Eligibility Specialists for the period 1/1/2020 - 12/31/2021; and

WHEREAS, the primary goal of this project is to efficiently and effectively determine Medicaid eligibility for patients from all Cleveland clinic facilities, as appropriate; and

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

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

**SECTION 1.** That the Cuyahoga County Council hereby authorizes a revenue generating agreement with The Cleveland Clinic Foundation in the amount not-to-exceed \$900,000.00 for six Medicaid Enrollment Eligibility Specialists for the period 1/1/2020 - 12/31/2021.

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

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

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

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

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

Yeas:

Nays:

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

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

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

First Reading/Referred to Committee:

Committee(s) Assigned:

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

**OnBase Item Detail Briefing Memo - Form**

Directions: Use the following form when requesting approval of a contract, agreement, an amendment, lease, permits or grants involving the County.

Enter this information directly or paste (text) into the sections below.

Complete all items within the (parenthesis – **Note: Do not include Parenthesis**) then attach the following information as a Word Document to the OnBase item.

Title:

**Cuyahoga Job and Family Services - 2020-21 – The Cleveland Clinic Foundation – Revenue Generating Agreement – Eligibility Specialists for Cleveland Clinic Patients**

**A. Scope of Work Summary**

1. Cuyahoga Job and Family Services requesting approval of a revenue-generating agreement with the Cleveland Clinic Foundation in the anticipated amount not-to-exceed \$450,000.00 annually, for a total amount not-to-exceed of \$900,000.00.

A prior contract expired 12/31/2019. The approval number was BC2018-66, approved 1/29/2018.

Cuyahoga County shall provide four on-site Eligibility Specialists (one at each site) for the following Cleveland Clinic facilities: Fairview Hospital (full-time staff), Hillcrest Hospital (full-time staff), Marymount Hospital and Lutheran Hospital (staff time split between the two facilities), and South Pointe Hospital and Euclid Hospital (staff time split between the two facilities). Additionally, two Eligibility Specialists working at a Cuyahoga County office shall process Medicaid Applications for Cleveland Clinic eligible patients. The anticipated start-completion dates are 1/1/2020-12/31/2021.

2. The primary goal of this project is to efficiently and effectively determine Medicaid eligibility for patients from all Cleveland Clinic facilities, as appropriate.

3. N/A

4. N/A

**B. Procurement**

1. A competitive procurement process was not used for this revenue-generating agreement. An exemption is being sought for the \$900,000.00 agreement.

2. N/A

3. An exemption is being requested, as this project is specifically targeted to provide eligibility specialists who will process Medicaid applications for Cleveland Clinic patients. A justification is being submitted to contract directly with the Cleveland Clinic Foundation for this revenue-generating agreement.

**C. Contractor and Project Information**

1. The address of all the contractor is:

The Cleveland Clinic Foundation

9500 Euclid Avenue

Cleveland, OH 44195

Council District 07

2. The CEO & President of the Contractor is: Tomislav (Tom) Mihaljevic, MD

3.a The address or location of the project is: Countywide

Specific Facility Sites are located in Euclid, Cleveland, Mayfield Heights, Warrensville Heights and Garfield Heights

3.b. The project has sites in Council Districts 2, 6, 7, 8, 9, 11

**D. Project Status and Planning**

1. The project reoccurs biannually – the most recent contract expired 12/31/2019.

2. N/A

3. The project is on a critical action path because it is more than two months past the expiration of the prior agreement.

4. The project’s term has already begun. Submission of the agreement was delayed by negotiations between Cuyahoga County and the Cleveland Clinic Foundation to provide additional eligibility specialists. No additional specialists have begun work yet under this agreement.

5. N/A

**E. Funding**

1. The project is a revenue-generating agreement.

2. The schedule of payments is quarterly, by invoice.

3. N/A

**F. Items/Services Received and Invoiced but not Paid:**



## Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

### OPD Use Only:

#### Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
1/1/2020 – 12/31/2020	HS260195	55130		\$450,000.00
1/1/2021 – 12/31/2021	HS260195	55130		\$450,000.00
<b>REVENUE-GENERATING TOTAL</b>				<b>\$900,000.00</b>

<b>Current Contract History:</b>	CE1800004
CE/AG# (if applicable)	
	1/1/2018-12/31/2019

	Original Amount	Amendment Amount	Amended End Date	Approval Date	Approval #
<b>Original Amount</b>	<b>\$280,000.00</b>			<b>1/29/2018</b>	<b>BC2018-66</b>
<b>Prior Amendment Amounts</b> (list separately)		\$			
		\$			
		\$			
<b>Pending Amendment</b>		\$			
<b>Total Amendments</b>		\$			
<b>Total Contact Amount</b>		\$			

Prior Resolutions	BC2018-66
CE/AG#	20000369 FPSR
Vendor Name	The Cleveland Clinic Foundation
ftp:	1/1/2020 – 12/31/2021
Amount	\$900,000.00mm (revenue-generating)
History/CE	OK
Addr	OK
W-9	Att'd
EL	OK
Procurement Notes:	3/9/2020 e-mail to dept: Needs section III paragraph checked on non-competitive bid form

OPD Buyer approval: OK, ssp 3/9/2020

Updated 1/23/2020

# County Council of Cuyahoga County, Ohio

## Ordinance No. O2020-0008

Sponsored by: <b>County Executive Budish and Council President Brady</b>	<b>An Uncodified Ordinance</b> amending uncodified Ordinance No. O2020-0007 dated 3/16/2020, which provided for paid emergency administrative leave for all County employees, by deleting the requirement that the paid emergency administrative leave can only be used after the employee has exhausted his or her existing accrued sick leave; and declaring the necessity that this uncodified Ordinance become immediately effective.
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WHEREAS, on March 16, 2020, in response to the COVID-19 crisis, this Council passed uncodified Ordinance No. O2020-0007 which provided for up to 80 hours of paid emergency administrative leave to every County employee who has exhausted his or her existing accrued sick leave; and

WHEREAS, it has become necessary to delete the requirement that accrued sick leave be exhausted prior to the employee accessing the paid emergency administrative leave; and

WHEREAS, it is necessary that this uncodified 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.** That Section 1 of uncodified Ordinance No. O2020-0007 is hereby amended to read as follows (deletions are stricken, additions are bolded and underlined):

Section 1. Adoption of Uncodified Ordinance. Cuyahoga County Executive Armond Budish declared a state of emergency within Cuyahoga County on March 11, 2020. Because of this declaration, Council hereby authorizes the County Executive to provide all County employees eighty (80) hours of paid emergency administrative leave ~~after the employee has exhausted his or her existing accrued sick leave.~~ All employees currently employed by the County and any employee hired by the County during the period of emergency declared by the County Executive shall receive this

paid emergency administrative leave benefit. This paid emergency administrative ~~policy~~**leave benefit** is effective March 11, 2020 and shall be in effect until the emergency no longer exists, such time to be determined by the Cuyahoga County Health Commissioner, pursuant to the declaration of emergency issued by the County Executive. Paid emergency administrative leave time expires December 19, 2020. If an employee should exhaust his or her paid ~~sick leave and paid~~ emergency administrative leave then additional paid emergency administrative leave may be granted, on an individual basis, at the discretion of the County Executive or his designee; the County Executive is authorized to adopt rules and regulations regarding the authorization of additional paid emergency administrative leave. If additional paid emergency administrative leave is approved by the County Executive or his designee, the usage of such time shall be recorded by the Director of the Department of Human Resources. The Director of the Department of Human Resources shall provide a written report on a monthly basis to Council on the additional paid emergency administrative leave granted. The period during which the County Executive or his designee can approve additional paid emergency administrative leave shall expire on December 19, 2020. Paid emergency administrative leave is not subject to pay out.

**SECTION 2.** That all other provisions of uncodified Ordinance No. O2020-0007 not amended hereby shall remain in full force and effect.

**SECTION 3.** It is necessary that this uncodified Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this uncodified 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 uncodified Ordinance was duly enacted.

Yeas:

Nays:

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

Journal CC038  
April 14, 2020