



**AGENDA
CUYAHOGA COUNTY COUNCIL REMOTE* REGULAR MEETING
TUESDAY, SEPTEMBER 15, 2020
2:00 PM**

***Due to the COVID-19 pandemic, the Cuyahoga County Administration Building is closed for public meetings 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:
<https://www.youtube.com/CuyahogaCounty>**

****Public comment for this meeting may be submitted in writing via email to the Clerk of Council at jschmotzer@cuyahogacounty.us no later than 1:00 p.m. on Tuesday, September 15, 2020**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT****
- 6. APPROVAL OF MINUTES**
 - a) August 4, 2020 Committee of the Whole Meeting (See Page 21)
 - b) August 4, 2020 Regular Meeting (See Page 24)
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**

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

- 1) R2020-0168: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Middleburg Heights for conservation of ecologically significant areas in the Baldwin Creek Preserve in the City of Middleburg Heights, and declaring the necessity that this Resolution become immediately effective. (See Page 36)

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

- 2) R2020-0169: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in Baldwin Creek Greenway in the Cities of North Royalton and Parma, and declaring the necessity that this Resolution become immediately effective. (See Page 40)

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

- 3) R2020-0170: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in the Big Creek-Stickney Creek Greenway in the City of Brooklyn, and declaring the necessity that this Resolution become immediately effective. (See Page 44)

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

- 4) R2020-0171: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Natural Areas Land Conservancy for conservation of ecologically significant areas in Garden of Eleven Angels in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective. (See Page 48)

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

- 5) R2020-0172: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Seven Hills for conservation of ecologically significant areas in Seven Hills Preserve in the City of Seven Hills, and declaring the necessity that this Resolution become immediately effective. (See Page 52)

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

- 6) R2020-0173: A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in West Creek Greenway Expansion in the City of Parma, and declaring the necessity that this Resolution become immediately effective. (See Page 56)

Sponsors: Councilmember Simon on behalf of Cuyahoga County Planning Commission

10. LEGISLATION INTRODUCED BY EXECUTIVE

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

- 1) R2020-0174: 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 60)

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

- 2) R2020-0175: A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Ohio Patrolmen's Benevolent Association, representing

approximately 125 employees in the classification of Protective Services Officer at the Sheriff's Department for the period 1/1/2018 - 12/31/2020 to amend the terms of Bereavement and to modify Article 47; directing that funds necessary to implement the amendment be budgeted and appropriated; 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 78)

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

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

- 1) R2020-0176: A Resolution confirming the County Executive's reappointment of Grace Gallucci to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for the term 7/1/2020 - 6/30/2023, and declaring the necessity that this Resolution become immediately effective. (See Page 83)

Sponsor: County Executive Budish

- 2) R2020-0177: A Resolution confirming the County Executive's appointment of Jenita McGowan to serve on the Cuyahoga Arts and Culture Board of Trustees for the term 4/1/2020 - 3/31/2023, and declaring the necessity that this Resolution become immediately effective. (See Page 87)

Sponsor: County Executive Budish

- 3) R2020-0178: A Resolution confirming the County Executive's appointment of Marielee Santiago to serve on the Cuyahoga County Division of Children and Family Services Advisory Board for an unexpired term ending 2/28/2023, and declaring the necessity that this Resolution become immediately effective. (See Page 93)

Sponsor: County Executive Budish

- 4) R2020-0179: A Resolution confirming the County Executive's appointment of Monica Busam to serve on the Cuyahoga County Natural Resources Assistance Council for the term

10/15/2020 - 10/14/2023, and declaring the necessity that this Resolution become immediately effective. (See Page 99)

Sponsor: County Executive Budish

- 5) R2020-0180: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on The MetroHealth System Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective: (See Page 104)

i) Appointment:

- a) Brenda Kirk for the term 4/1/2020 - 3/31/2026.

ii) Reappointments:

- a) Maureen Dee for an unexpired term ending 3/5/2024.
b) Robert Hurwitz for an unexpired term ending 3/1/2026.

Sponsor: County Executive Budish

- 6) R2020-0181: A Resolution authorizing the transfer of real property located at Crocker Road and Schwartz Road, Permanent Parcel No. 216-10-012, to the City of Westlake; authorizing the County Executive to execute the quit claim deed and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 122)

Sponsor: County Executive Budish/Department of Public Works

- 7) R2020-0182: A Resolution making an award on RQ48165 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$2,936,167.00 for the 2020 Sewer Rehabilitation Program in various County Sewer Districts for the period 10/1/2020 - 9/30/2022; 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. (See Page 126)

Sponsor: County Executive Budish/Department of Public Works

- 8) R2020-0183: A Resolution making awards on RQ45955 to various contractors, in the total amount not-to-exceed \$1,500,000.00, for on-call heavy construction services for road and bridge repairs and maintenance for the period 9/16/2020 - 9/15/2023; authorizing the County Executive to execute the Master Contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 134)
- i) Catts Construction, Inc. in the approximate amount reasonably anticipated to be \$500,000.00.
 - ii) Schirmer Construction Co., LLC in the approximate amount reasonably anticipated to be \$500,000.00.
 - iii) Terrace Construction Company, Inc. in the approximate amount reasonably anticipated to be \$500,000.00.

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

- 9) R2020-0184: A Resolution authorizing an amendment to Contract No. CE1500266-01 with HH Golden Gate, LLC for lease of office space in Golden Gate Shopping Center, located at 6420 Mayfield Road, Mayfield Heights, for the period 10/1/2015 - 9/30/2020 to exercise an option to extend the time period to 12/31/2025, to change the terms, effective 10/1/2020, and for additional funds in the amount not-to-exceed \$536,361.72; 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 144)

Sponsor: County Executive Budish/Department of Public Works and Fiscal Officer/Auto Title Division

- 10) R2020-0185: A Resolution providing for the issuance and sale of one or more series of bonds in a maximum aggregate principal amount of \$16,275,000.00, to refund at a lower interest cost all or a portion of the \$15,770,000.00 of the

county's outstanding capital improvement and refunding bonds, series 2012A and series 2012B, that are stated to mature on December 1 in each of the years from 2021 through 2024, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012, dated as of December 13, 2012, to provide funds to pay for acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for County offices and functions, and acquiring, improving and equipping sites for such buildings, facilities and structures, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective. (See Page 153)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 11) R2020-0186: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$2,435,000.00, to refund at a lower interest cost all or a portion of the \$2,348,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the county's portion of the cost of acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and acquiring and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective. (See Page 173)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 12) R2020-0187: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of

\$470,000.00, to refund at a lower interest cost all or a portion of the \$450,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012 (Orange Place Extension Project), that are stated to mature on December 1 in each of the years from 2021 through 2024, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the county's portion of the cost of improving Orange Place, in cooperation with the Municipality of Orange Village, by grading, draining, curbing, paving and constructing sidewalks, storm and sanitary sewers and water lines, in each case together with the necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective. (See Page 193)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 13) R2020-0188: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$135,000.00, to refund at a lower interest cost all or a portion of the \$115,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years 2021 and 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the property owners' portion of the cost of constructing County Improvement No. 1460, Phase I, being water lines in five roads in County Sewer District No. 14 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective. (See Page 213)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 14) R2020-0189: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$55,000.00, to refund at a lower interest cost all or a portion of the \$35,000.00 of the county's outstanding capital

improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2024, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the property owners' portion of the cost of constructing County Improvement No. 1460, Phase II, a 12-inch waterline and appurtenances in Sharp Road from Sprague Road to Schady Road, in County Sewer District No. 14 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective. (See Page 233)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 15) R2020-0190: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$40,000.00, to refund at a lower interest cost all or a portion of the \$22,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the property owners' portion of the cost of constructing County Water Improvement No. 2300 in County Sewer District No. 23 in Chagrin Falls Township; and declaring the necessity that this Resolution become immediately effective. (See Page 253)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 16) R2020-0191: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$685,000.00, to refund at a lower interest cost all or a portion of the \$660,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2025, all of which were issued as a part of a consolidated issue of capital improvement and refunding

bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the County's contribution to the acquisition and equipping of the Village of Highland Hills municipal building, and the renovation and construction and reconstruction of improvements thereto, including necessary appurtenances thereto; and declaring the necessity that this Resolution become immediately effective. (See Page 273)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 17) R2020-0192: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$32,670,000.00, to refund at a lower interest cost all or a portion of the \$31,160,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2037, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for county offices and functions, and improving and equipping sites for such buildings, facilities and structures, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective. (See Page 293)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 18) R2020-0193: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$17,555,000.00, to refund at a lower interest cost all or a portion of the \$16,745,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2037, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to

provide funds to pay the costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective. (See Page 314)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 19) R2020-0194: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$300,000.00, to refund at a lower interest cost all or a portion of the \$280,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years 2021 and 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay costs of acquiring radios and other communications equipment, together with all necessary appurtenances, for use in carrying out functions of the sheriff's department; and declaring the necessity that this Resolution become immediately effective. (See Page 335)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 20) R2020-0195: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$225,000.00 to refund at a lower interest cost all or a portion of the \$205,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years 2021 and 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay costs of improving the county fairgrounds by acquiring, constructing and installing a wind turbine and related equipment to provide electric power to the fairgrounds; and

declaring the necessity that this Resolution become immediately effective. (See Page 354)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 21) R2020-0196: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$215,000.00 to refund at a lower interest cost all or a portion of the \$195,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay costs of reconstructing, resurfacing and otherwise improving and equipping runways at the county airport, together with necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective. (See Page 373)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 22) R2020-0197: A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$51,875,000.00, to advance refund at a lower aggregate interest cost all or a portion of the \$41,005,000.00 of the county's outstanding Various Purpose Sales Tax Revenue Bonds, Series 2014A, dated as of December 17, 2014 that are stated to mature on December 1, 2029 and on December 1 in each of the years from 2032 through 2035, all of which were issued to provide funds to pay the cost of constructing, maintaining, expanding, refurbishing, renovating, upgrading, improving, furnishing and equipping various county buildings and refunding certain bonds previously issued, in each case together with the necessary appurtenances and work incidental thereto; declaring the necessity that this Resolution become immediately effective. (See Page 392)

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

Bond Counsel: Calfee, Halter & Griswold LLP

- 23) R2020-0198: A Resolution authorizing an amendment to Contract No. CE1500235-02 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to extend the time period to 12/31/2022, to change the terms, effective 10/1/2020; no additional funds required; 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 413)

Sponsor: County Executive Budish/Fiscal Officer and Department of Information Technology

- 24) R2020-0199: A Resolution authorizing amendments to contracts with various providers for the Propel Cuyahoga - Workforce Services Program for the period 7/1/2019 - 6/30/2020 to extend the time period to 6/30/2021, to change the terms, effective 3/9/2020, and for additional funds; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective: (See Page 421)

- i) No. CE1900202-01 with The Centers for Families and Children in the amount not-to-exceed \$2,912,110.29.
- ii) No. CE1900203-01 with Maximus Human Services Inc. in the amount not-to-exceed \$2,606,136.95.

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

- 25) R2020-0200: A Resolution authorizing an amendment to a Master Contract, including Agreement Nos. AG1700045-01–15 and Contract Nos. CE1700125-01–10, and CE1700126-01–11, with various providers for expansion of Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2017 - 7/31/2020 to extend the time period to 7/31/2021 and for additional funds in the total amount not-to-exceed \$3,188,462.00; 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 445)

- i) Bedford City School District
- ii) Berea City School District
- iii) Cleveland Heights-University Heights City School District – Noble Elementary School
- iv) Cleveland Heights-University Heights City School District – Gearity Elementary School
- v) Cleveland Heights-University Heights City School District – Oxford Elementary School
- vi) Cleveland Municipal School District – Clark Elementary School
- vii) Cleveland Municipal School District – Garfield Elementary School
- viii) Cleveland Municipal School District – Sunbeam Elementary School
- ix) Cleveland Municipal School District – Willow Elementary School
- x) Cleveland Municipal School District – William Cullen Bryant Elementary School
- xi) Euclid City School District
- xii) Garfield Heights City Schools
- xiii) Lakewood City Schools
- xiv) Maple Heights City School District
- xv) Warrensville Heights City School District
- xvi) Menorah Park Center for Senior Living Bet Moschav Zekenim Hadati
- xvii) HLC Euclid, LLC dba Horizon Learning Centers – Euclid
- xviii) Horizon Education Centers – Market Square
- xix) Horizon Education Centers – Old Brooklyn
- xx) Advanced Solutions for Education, Inc. dba Horizon Child Development Center – Cleveland
- xxi) Robbie Lawrence-Willis – Little Achiever’s Learning Center
- xxii) Murtis Taylor Human Services System – Glenville/KRT Child Enrichment Center
- xxiii) Murtis Taylor Human Services System – Mt. Pleasant Child Enrichment Center
- xxiv) The Salvation Army of Greater Cleveland
- xxv) St. Peter's Child Care Center Inc.
- xxvi) Catholic Charities Corporation – Early Childhood Center at Arbor Park

- xxvii) Catholic Charities Corporation – Early Learning Program St. Ignatius
- xxviii) Catholic Charities Corporation – Rainbow Terrace Head Start
- xxix) The Centers for Families and Children
- xxx) Council for Economic Opportunities in Greater Cleveland – William Patrick Day Early Learning Center
- xxxi) Council for Economic Opportunities in Greater Cleveland – Willard Head Start Center
- xxxii) Council for Economic Opportunities in Greater Cleveland – Puritas Head Start Center
- xxxiii) Council for Economic Opportunities in Greater Cleveland – Green Road Early Learning Center
- xxxiv) Council for Economic Opportunities in Greater Cleveland – George Forbes Early Learning Center
- xxxv) Council for Economic Opportunities in Greater Cleveland – Carl B. Stokes Head Start Center
- xxxvi) Kids and Such, Inc. dba Creative Kids

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

- 26) R2020-0201: A Resolution authorizing an amendment to a Master Contract, including Agreement Nos. AG1800104-01 – AG1800106-01 and Contract Nos. CE1800261-01 – CE1800274-01 and CE1800277-01 – CE1800290-01, with various providers for Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2018 - 7/31/2020 to extend the time period to 7/31/2021 and for additional funds in the total amount not-to-exceed \$4,109,055.00; 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 555)

- i) Brooklyn City School District – Brooklyn Preschool
- ii) Catholic Charities Corporation – King Kennedy Head Start
- iii) Catholic Charities Corporation – Parkview Head Start
- iv) Catholic Charities Corporation – Riverside Head Start
- v) Catholic Charities Corporation – St. Philip Neri Head Start

- vi) Catholic Charities Corporation – St. Thomas Aquinas
- vii) Cirque du Kids, LLC
- viii) Cleveland Children’s Daycare Academy, LLC
- ix) Cleveland Municipal School District – Tremont Montessori School
- x) Council for Economic Opportunities in Greater Cleveland – Lakeview Terrace Head Start Center
- xi) Council for Economic Opportunities in Greater Cleveland – Outhwaite Head Start Center
- xii) Council for Economic Opportunities in Greater Cleveland – Union-Miles Head Start Center
- xiii) Council for Economic Opportunities in Greater Cleveland – Villa Head Start Center
- xiv) Early Childhood Enrichment Center, Inc.
- xv) East Cleveland City School District – Superior Elementary School
- xvi) Gannon Gil Preschool of the Temple-Tifereth Israel, Inc.
- xvii) Hanna Perkins School
- xviii) Horizon Education Centers – North Olmsted Horizon Education Center
- xix) Horizon Education Centers – Family Life Child Care Center of Lakewood
- xx) Horizon Education Centers – Family Life Child Care Center of Berea
- xxi) Kiddie City Child Care Community, Inc.
- xxii) PM Foundation, Inc. dba Urban Community School
- xxiii) Sandy’s Darlin’ Munchkins Family Child Care Home and Universal Pre-Kindergarten
- xxiv) The Centers for Families and Children – Bingham Early Learning Center
- xxv) The Centers for Families and Children – Debra Ann November Early Learning Center
- xxvi) The Centers for Families and Children – Gordon Square Early Learning Center
- xxvii) The Centers for Families and Children – McMillan Early Learning Center
- xxviii) The Centers for Families and Children – Wade Early Learning Center
- xxix) The Cleveland Music School Settlement
- xxx) The Merrick House
- xxxii) The Young Women’s Christian Association of Greater Cleveland, Ohio

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

- 27) R2020-0202: A Resolution authorizing an amendment to Contract No. CE1800489-01 with Child Care Resource Center of Cuyahoga County, Inc. dba Starting Point for management, administration and implementation of various support services for the Universal Pre-Kindergarten Program for the period 1/1/2019 - 7/31/2020 to extend the time period to 7/31/2021, to change the scope of services and the terms, effective 4/1/2020, and for additional funds in the amount not-to-exceed \$1,863,724.00; 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 681)

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

- 28) R2020-0203: A Resolution authorizing an amendment to Contract No. CE1700229-01 with Mental Health Services for Homeless Persons, Inc. dba FrontLine Service for coordinated intake and assessment services for homeless individuals and families for the period 1/1/2018 - 8/31/2020 to extend the time period to 12/31/2021 and for additional funds in the amount not-to-exceed \$800,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 690)

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

- 29) R2020-0204: A Resolution authorizing an amendment to Contract No. CE1700066-01 with Lutheran Metropolitan Ministry for emergency shelter services for single adults at the Men's Emergency Shelter, located at 2100 Lakeside Avenue, Cleveland, and coordination of overflow shelter services at various locations for the period 5/1/2017 - 12/31/2020 to change the scope of services, effective 9/29/2020, and for additional funds in the amount not-to-exceed \$3,627,924.00;

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 699)

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

- 30) R2020-0205: A Resolution making an award on RQ47422 to Enterprise Community Partners, Inc. in the amount not-to-exceed \$600,000.00 for a Justice Housing Plan and Implementation Strategy for the period 9/30/2020 - 12/31/2022; 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. (See Page 708)

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

- 31) R2020-0206: A Resolution making an award on RQ00089 to Selex ES Inc. in the amount not-to-exceed \$823,236.96 for the Fixed Automated License Plate Recognition Expansion Project for the period 9/15/2020 - 11/30/2023; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 714)

Sponsor: County Executive Budish/Department of Public Safety and Justice Services

- 32) R2020-0207: A Resolution authorizing a revenue generating agreement with City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$2,237,350.00 for legal services for indigent persons for the period 1/1/2020 - 12/31/2020; 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 724)

Sponsors: County Executive Budish on behalf of Cuyahoga County Public Defender Commission

- 33) R2020-0208: A Resolution authorizing an amendment to Agreement No. AG1500004-01 with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the Adult Probation Substance Abuse Residential Treatment Program for the period 1/1/2015 - 6/30/2020 to extend the time period to 6/30/2022 and for additional funds in the amount not-to-exceed \$1,200,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 726)

Sponsors: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board

c) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION

- 1) R2020-0158: A Resolution approving proposed amendments to the Subdivision Platting Rules for the Unincorporated Areas of Cuyahoga County, and declaring the necessity that this Resolution become immediately effective. (See Page 738)

Sponsors: County Executive Budish on behalf of Cuyahoga County Planning Commission

- 2) R2020-0159: A Resolution authorizing a contract with Court Community Service, Inc. in the amount not-to-exceed \$555,000.00 for court community placement and supervision services for probationers referred by the Court in connection with the Community Works Service Placement and Supervision Program for the period 1/1/2021 - 12/31/2023; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective. (See Page 820)

Sponsors: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board

11. MISCELLANEOUS COMMITTEE REPORTS

12. MISCELLANEOUS BUSINESS

13. ADJOURNMENT

NEXT MEETINGS

COMMITTEE OF THE WHOLE MEETING:

TUESDAY, SEPTEMBER 29, 2020
TIME TBD / REMOTE

REGULAR MEETING:

TUESDAY, SEPTEMBER 29, 2020
2:00 PM / REMOTE



MINUTES

CUYAHOGA COUNTY COUNCIL REMOTE* COMMITTEE OF THE WHOLE MEETING
TUESDAY, AUGUST 4, 2020
1:00 PM

*Due to the COVID-19 pandemic, the Cuyahoga County Administration Building is closed for public meetings 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:
<https://www.youtube.com/CuyahogaCounty>

**Public comment for this meeting may be submitted in writing via email to the Clerk of Council at jschmotzer@cuyahogacounty.us no later than 12:00 p.m. on Tuesday, August 4, 2020

1. CALL TO ORDER

Council President Brady called the meeting to order at 1:05 p.m.

2. ROLL CALL

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

3. PUBLIC COMMENT**

Clerk Schmotzer reported that public comments were submitted via email by Mr. William Tarter, Jr. regarding Resolution No. R2020-0155, authorizing a Sports Facility Agreement.

4. EXECUTIVE SESSION

- a) Collective bargaining matters, including:

- i) a Collective Bargaining Agreement between Cuyahoga County Veterans Service Commission and American Federation of State, County and Municipal Employees, Ohio Council 8, representing approximately 19 employees in various classifications for the period 8/4/2020 - 8/3/2023.

A motion was made by Ms. Simon, seconded by Ms. Brown and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing collective bargaining matters and for no other purpose whatsoever. Executive Session was then called to order by Council President Brady at 1:08 p.m. The following Councilmembers were present: Jones, Brown, Stephens, Simon, Baker, Miller, Tuma, Gallagher, Schron, Conwell and Brady.

The following additional attendees were present: Mr. Jon Reiss, Executive Director for the Cuyahoga County Veterans Service Commission; Assistant County Prosecutor Brian Gutkoski; Director of Law Gregory Huth; Assistant Law Director Melisa Fisco; Council Chief of Staff Joseph Nanni; Legislative Budget Advisor Trevor McAleer; and Special Counsel Brendan Doyle.

At 1:26 p.m., Executive Session was adjourned without objection and Council President Brady then reconvened the meeting.

5. ITEM REFERRED TO COMMITTEE:

- a) R2020-0155: A Resolution authorizing a Sports Facility Agreement between Cuyahoga County, Cleveland Indians Baseball Company LLC and Gateway Economic Development Corporation of Greater Cleveland in the amount not-to-exceed \$3,500,000.00 in accordance with Supplemental Trust Indenture No. 5 between Cuyahoga County and The Huntington National Bank, as Trustee, dated 10/1/2017; authorizing the County Executive or his designee to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Mr. Walter Parfejewiec, Director of the Office of Budget and Management and Mr. Kenneth Silliman, Chair of the Gateway Economic Development Corporation of Greater Cleveland Board of Trustees, addressed the Committee regarding Resolution No. R2020-0155. Discussion ensued.

Committee members asked questions of Messrs. Parfejewiec and Silliman and Mr. Robert Franz, Director of Public Finance for Stifel Financial Corp., pertaining to the item, which they answered accordingly.

On a motion by Mr. Brady with a second by Ms. Brown, Resolution No. R2020-0155 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for second reading adoption under suspension of rules.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 2:06 p.m., without objection.



MINUTES
CUYAHOGA COUNTY COUNCIL REMOTE* REGULAR MEETING
TUESDAY, AUGUST 4, 2020
2:00 PM

*Due to the COVID-19 pandemic, the Cuyahoga County Administration Building is closed for public meetings 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:
<https://www.youtube.com/CuyahogaCounty>

**Public comment for this meeting may be submitted in writing via email to the Clerk of Council at jschmotzer@cuyahogacounty.us no later than 1:00 p.m. on Tuesday, August 4, 2020

1. CALL TO ORDER

Council President Brady called the meeting to order at 2:12 p.m.

2. ROLL CALL

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

3. PLEDGE OF ALLEGIANCE

4. SILENT MEDITATION

There was no moment of silent meditation.

5. PUBLIC COMMENT**

Ms. Loh submitted public comment via email regarding COVID-19 and the Women's Shelter.

6. APPROVAL OF MINUTES

- a) July 21, 2020 Committee of the Whole Meeting
- b) July 21, 2020 Regular Meeting
- c) July 30, 2020 Committee of the Whole Meeting

A motion was made by Mr. Jones, seconded by Mr. Brady and approved by unanimous vote to approve the minutes from the July 21, 2020 and July 30, 2020 Committee of the Whole meetings and the July 21, 2020 Regular meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from Council President Brady.

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive Budish reported that there is a shortage of poll workers for the November general election due to COVID-19. He asked Council to support Resolution No. R2020-0161, a Resolution establishing the terms and conditions authorizing county employees to serve as precinct elections officials on November 3, 2020.

9. LEGISLATION INTRODUCED BY COUNCIL

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

- 1) R2020-0160: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County Veterans Service Commission and American Federation of State, County and Municipal Employees, Ohio Council 8, representing approximately 19 employees in various classifications for the period 8/4/2020 - 8/3/2023; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Brady on behalf of Cuyahoga County Veterans Service Commission

Clerk Schmotzer read Resolution No. R2020-0160 into the record. No further legislative action was taken by Council.

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

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2020-0147.

- 1) R2020-0147: A Resolution adopting various changes to the Cuyahoga County Non-bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmember Brown on behalf of Personnel Review Commission

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

On a motion by Mr. Miller with a second by Ms. Brown, Resolution No. R2020-0147 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. R2020-0161, R2020-0162 and R2020-0163.

- 1) R2020-0161: A Resolution establishing the terms and conditions authorizing county employees to serve as precinct elections officials on 11/3/2020, without loss of the employee's regular compensation and additionally receiving the compensation paid to precinct elections officials; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish **and Councilmembers Miller, Simon, Brown, Conwell, Stephens and Jones**

On a motion by Mr. Brady with a second by Ms. Simon, Resolution No. R2020-0161 was considered and adopted by unanimous vote.

- 2) R2020-0162: 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. Miller with a second by Ms. Conwell, Resolution No. R2020-0162 was considered and adopted by unanimous vote.

- 3) R2020-0163: A Resolution authorizing an amendment to a Memorandum of Understanding and Agreement among Cuyahoga County, Say Yes to Education Inc. and Cleveland Municipal School District for the Say Yes Cleveland Strategy Program for the period 7/24/2019 - 7/23/2020 to extend the time period to 7/23/2021, to add Breakthrough Public Schools as a party, and to change the terms to establish funding responsibilities during Year 2 of the Program, effective 7/24/2020; accepting payments in the amount not-to-exceed \$1,207,142.86 from Cleveland Municipal School District and in the amount not-to-exceed \$92,857.14 from Breakthrough Public Schools for said Program; authorizing a payment in the amount not-to-exceed \$3,800,000.00 to College Now Greater Cleveland, Inc. as fiscal agent of Say Yes to Education Inc.; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2020-0163 was considered and adopted by unanimous vote.

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

- 1) R2020-0164: A Resolution confirming the County Executive's appointment of Janine S. Kaiser to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for an unexpired term ending 6/30/2021, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2020-0164 to the Human Resources, Appointments & Equity Committee.

- 2) R2020-0165: A Resolution confirming the County Executive's appointment of Verna D. Darby to serve on the Division of Children and Family Services Advisory Board for an unexpired term ending 2/28/2023, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2020-0165 to the Human Resources, Appointments & Equity Committee.

- 3) R2020-0166: A Resolution confirming the County Executive's reappointment of Erika L. Anthony to serve on the Cuyahoga County Public Defender Commission for the term 1/1/2020 - 12/31/2023, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish

Council President Brady referred Resolution No. R2020-0166 to the Human Resources, Appointments & Equity Committee.

- 4) R2020-0167: A Resolution authorizing an amendment to Contract No. CE1700154-01 with Case Western Reserve University for fiscal agent services in connection with facilitation of the First Year Cleveland Initiative for the period 6/1/2016 - 12/31/2019 to extend the time period to 12/31/2021 and for additional funds in the amount not-to-exceed \$1,000,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

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

Council President Brady referred Resolution No. R2020-0167 to the Health, Human Services & Aging Committee.

c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING

- 1) R2020-0158: A Resolution approving proposed amendments to the Subdivision Platting Rules for the Unincorporated Areas of Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Planning Commission

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

Clerk Schmotzer read Resolution No. R2020-0158 into the record.

This item will move to the September 15, 2020 Council meeting agenda for consideration for third reading adoption.

- 2) R2020-0159: A Resolution authorizing a contract with Court Community Service, Inc. in the amount not-to-exceed \$555,000.00 for court community placement and supervision services for probationers referred by the Court in connection with the Community Works Service Placement and Supervision Program for the period 1/1/2021 - 12/31/2023; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board

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

Clerk Schmotzer read Resolution No. R2020-0159 into the record.

This item will move to the September 15, 2020 Council meeting agenda for consideration for third reading adoption.

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

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2020-0151, R2020-0152, R2020-0153, R2020-0154, R2020-0155, R2020-0156 and R2020-0157.

- 1) R2020-0151: A Resolution fixing the 2021 water, storm and sanitary sewer maintenance and/or sewerage treatment rates for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

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

Mr. Tuma introduced a proposed substitute to Resolution No. R2020-0151. Discussion ensued.

A motion was then made by Mr. Tuma, seconded by Ms. Conwell and approved by unanimous vote to substitute Resolution No. R2020-0151.

On a motion by Mr. Tuma with a second by Ms. Brown, Resolution No. R2020-0151 was considered and adopted by unanimous vote, as substituted.

- 2) R2020-0152: A Resolution approving and confirming the 2021 water, storm and sanitary sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive Budish/Department of Public Works

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

On a motion by Mr. Tuma with a second by Mr. Schron, Resolution No. R2020-0152 was considered and adopted by unanimous vote.

3) R2020-0153: A Resolution making awards on RQ47764 to various providers, each in the amount not-to-exceed \$450,000.00, for general architectural engineering services for the period 8/5/2020 - 8/4/2023; authorizing the County Executive to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) Robert P. Madison International, Inc.
- ii) Wiss, Janney, Elstner Associates, Inc.

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

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

On a motion by Mr. Tuma with a second by Mr. Schron, Resolution No. R2020-0153 was considered and adopted by unanimous vote.

4) R2020-0154: A Resolution making awards on RQ48610 to various contractors, in the total amount not-to-exceed \$15,000,000.00, for On Call – COVID-19 Emergency Building Modifications for the period 8/4/2020 - 8/3/2021; authorizing the County Executive to execute the Master Contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- i) The AKA Team, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.
- ii) Brigadier Construction Services, LLC in the approximate amount reasonably anticipated to be \$1,875,000.00.
- iii) Donley’s, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.
- iv) Next Generation Construction, LLC in the approximate amount reasonably anticipated to be \$1,875,000.00.

- v) Panzica Construction Company in the approximate amount reasonably anticipated to be \$1,875,000.00.
- vi) Regency Construction Services, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.
- vii) RL Hill Management, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.
- viii) TMG Services, Inc. in the approximate amount reasonably anticipated to be \$1,875,000.00.

Sponsors: County Executive Budish/Department of Public Works and Councilmember Miller

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

On a motion by Mr. Tuma with a second by Mr. Miller, Resolution No. R2020-0154 was considered and adopted by unanimous vote.

- 5) R2020-0155: A Resolution authorizing a Sports Facility Agreement between Cuyahoga County, Cleveland Indians Baseball Company LLC and Gateway Economic Development Corporation of Greater Cleveland in the amount not-to-exceed \$3,500,000.00 in accordance with Supplemental Trust Indenture No. 5 between Cuyahoga County and The Huntington National Bank, as Trustee, dated 10/1/2017; authorizing the County Executive or his designee to execute the agreement and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective. [Pending Committee Recommendation]

Sponsor: County Executive Budish/Fiscal Officer

Committee Assignment and Chair: Committee of the Whole – Brady

Clerk Schmotzer reported that Resolution No. R2020-0155 was referred to the full Council for second reading adoption under suspension of rules by the Committee of the Whole.

On a motion by Mr. Brady with a second by Mr. Schron, Resolution No. R2020-0155 was considered and adopted by unanimous vote.

- 6) R2020-0156: A Resolution adopting the 2020 Economic Recovery Plan in accordance with Section 7.05 of the Cuyahoga County Charter and Section 801.01 of the Cuyahoga County Code, 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. Schron introduced a proposed substitute to Resolution No. R2020-0156. Discussion ensued.

A motion was then made by Mr. Schron, seconded by Mr. Miller and approved by unanimous vote to substitute Resolution No. R2020-0156.

On a motion by Mr. Schron with a second by Ms. Miller, Resolution No. R2020-0156 was considered and adopted by unanimous vote, as substituted.

- 7) R2020-0157: A Resolution authorizing a Grant Agreement with The Cleveland Foundation in the amount not-to-exceed \$1,500,000.00 to provide matching funds for The Cleveland Foundation Digital Inclusion Fund to support digital equity activities and efforts in Cuyahoga County for the period 8/1/2020 - 8/31/2021; 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.

Sponsors: County Executive Budish/Department of Information Technology/Office of Innovation and Performance and Councilmembers Miller, Brown, Jones, Conwell, Gallagher and **Simon**

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

On a motion by Ms. Conwell with a second by Ms. Brown, Resolution No. R2020-0157 was considered and adopted by unanimous vote.

e) COMMITTEE REPORTS AND CONSIDERATION OF ORDINANCES FOR
SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Ms. Brown and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance Nos. O2020-0015 and O2020-0016.

- 1) O2020-0015: An Uncodified Ordinance authorizing the County Executive or his designee to temporarily expand the Electronic Equipment and Communications Policy to define requirements for County employees working from home and connecting to the County network, and declaring the necessity that this uncodified Ordinance become immediately effective.

Sponsor: County Executive Budish

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

On a motion by Mr. Brady with a second by Mr. Miller, Ordinance No. O2020-0015 was considered and adopted by unanimous vote.

- 2) O2020-0016: An Uncodified Ordinance authorizing the County Executive to approve hazard pay to non-bargaining County employees in accordance with the Coronavirus Relief Fund established by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act; and declaring the necessity that this uncodified Ordinance become immediately effective.

Sponsor: County Executive Budish

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

On a motion by Mr. Brady with a second by Ms. Conwell, Ordinance No. O2020-0016 was considered and adopted by unanimous vote.

11. MISCELLANEOUS COMMITTEE REPORTS

There were no miscellaneous committee reports.

12. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

13. ADJOURNMENT

With no further business to discuss, Council President Brady adjourned the meeting at 2:54 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0168

<p>Sponsored by: Councilmember Simon on behalf of Cuyahoga County Planning Commission</p>	<p>A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Middleburg Heights for conservation of ecologically significant areas in the Baldwin Creek Preserve in the City of Middleburg Heights, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County has received a request from City of Middleburg Heights for a Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Middleburg Heights for conservation of ecologically significant areas in the Baldwin Creek Preserve in the City of Middleburg Heights, pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, the City of Middleburg Heights seeks to acquire three parcels in the City of Middleburg Heights, as well as the encumbrance of these three parcels and an additional adjacent city-owned parcel with Clean Ohio deed restrictions. The total project area of approximately 15.63 forested riparian acres will be preserved as natural area, open for public recreation in perpetuity, with additional investments by the City of Middleburg Heights to improve the property with passive infrastructure to facilitate recreational uses; and

WHEREAS, the project is known as “The Baldwin Creek Preserve” and is located in County Council District No. 4; and

WHEREAS, the total estimated project cost is \$400,000.00, of which \$300,000.00 is estimated for the Clean Ohio application; and

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

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

WHEREAS, the applications for the fifteenth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 30, 2020 to the Cuyahoga County Natural Resources Assistance Council; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby supports the submission of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Middleburg Heights for conservation of ecologically significant areas in the Baldwin Creek Preserve, pursuant to Ohio Revised Code Section 164.23 and known as “The Baldwin Creek Preserve” Project.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2020

CUYAHOGA COUNTY COUNCIL RESOLUTION OF SUPPORT REQUEST FORM

PROJECT NAME: Baldwin Creek Preserve

SPONSORING ORGANIZATION: City of Middleburg Heights

CONTACT PERSON: Isaac Robb

PHONE: 503-385-6988

EMAIL: irobb@wrlandconservancy.org

PROJECT DESCRIPTION:

The Baldwin Creek Preserve project entails the City of Middleburg Height's fee simple acquisition of three parcels in the City of Middleburg Heights, as well as the encumbrance of these three parcels and an additional adjacent city-owend parcel with Clean Ohio deed restrictions. The total project area of approximately 15.63 forested riparian acres will be preserved as natural area, open for public recreation in perpetuity, with additional investments by the City of Middleburg Heights to improve the property with passive park infrastructure to facilitate recreational uses.

ESTIMATED PROJECT COST: \$400,000

ESTIMATED CLEAN OHIO APPLICATION: \$300,000

COUNCIL DISTRICT(S) OF PROPOSED PROJECT LOCATION: Distrcit 4

SUBMIT THIS REQUEST FORM TO ALISON BALL AT ABALL@CUYAHOGACOUNTY.US BY SEPTEMBER 8, 2020 AT 4:30PM.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0169

Sponsored by: Councilmember Simon on behalf of Cuyahoga County Planning Commission	A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in Baldwin Creek Greenway in the Cities of North Royalton and Parma, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has received a request from West Creek Conservancy for a Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in Baldwin Creek Greenway in the Cities of North Royalton and Parma, pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, West Creek Conservancy seeks to conserve a significant reach of upper Baldwin Creek with the Cities of North Royalton and Parma in an effort to capitalize on previous conservation/restoration initiatives. The project would perpetually protect over 20 acres of land/streamside forest and vital floodplain and riparian corridor (including over 3,000 LF of stream channel and 4+ acres of wetland); and

WHEREAS, the project is known as “Baldwin Creek Greenway” and is located in County Council District No. 4 and 5; and

WHEREAS, the total estimated project cost is \$1,050,000.00, of which \$720,000.00 is estimated for the Clean Ohio application; and

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

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

WHEREAS, the applications for the fifteenth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 30, 2020 to the Cuyahoga County Natural Resources Assistance Council; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby supports the submission of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in Baldwin Creek Greenway, pursuant to Ohio Revised Code Section 164.23 and known as “Baldwin Creek Greenway” Project.

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

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

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

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

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

Journal _____
_____, 2020

RESOLUTION OF SUPPORT REQUEST FORM

PROJECT NAME: BALDWIN CREEK GREENWAY

SPONSORING ORGANIZATION: WEST CREEK CONSERVANCY

CONTACT PERSON: DEREK SCHAFFER

PHONE: 440-915-2940

EMAIL: DSCHAFFER@WESTCREEK.ORG

PROJECT DESCRIPTION:

THE BALDWIN CREEK GREENWAY IS AN INITIATIVE TO CONSERVE A SIGNIFICANT REACH OF UPPER BALDWIN CREEK WITH THE CITIES OF NORTH ROYALTON AND PARMA; AN EFFORT TO CAPITALIZE ON PREVIOUS CONSERVATION/RESTORATION INITIATIVES. THE PROJECT WOULD PERPETUALLY PROTECT OVER 20 ACRES OF LAND/STREAMSIDE FOREST AND VITAL FLOODPLAIN & RIPARIAN CORRIDOR (INCLUDING OVER 3000 LF OF STREAM CHANNEL AND 4+ ACRES OF WETLAND)

ESTIMATED PROJECT COST: \$1,050,000

ESTIMATED CLEAN OHIO APPLICATION: \$720,000

COUNCIL DISTRICT(S) OF PROPOSED PROJECT LOCATION: 4, 5

SUBMIT THIS REQUEST FORM TO ALISON BALL AT ABALL@CUYAHOGACOUNTY.US BY SEPTEMBER 8, 2020 AT 4:30PM.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0170

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

WHEREAS, West Creek Conservancy seeks to conserve, restore and connect ecological assets in the Lower Big Creek Greenway. This proposed project will permanently protect approximately 15 acres in the watershed, linking conservation properties along the Big Creek mainstream as well as Stickney Creek Tributary; and

WHEREAS, the project is known as “Big Creek-Stickney Creek Greenway” and is located in County Council District No. 3; and

WHEREAS, the total estimated project cost is \$850,000.00, of which \$450,000.00 is estimated for the Clean Ohio application; and

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

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

WHEREAS, the applications for the fifteenth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 30, 2020 to the Cuyahoga County Natural Resources Assistance Council; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby supports the submission of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in Big Creek-Stickney Creek Greenway, pursuant to Ohio Revised Code Section 164.23 and known as “Big Creek-Stickney Creek Greenway” Project.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2020

RESOLUTION OF SUPPORT REQUEST FORM

PROJECT NAME: BIG CREEK-STICKNEY CREEK GREENWAY

SPONSORING ORGANIZATION: WEST CREEK CONSERVANCY

CONTACT PERSON: DEREK SCHAFFER

PHONE: 440-915-2940

EMAIL: DSCHAFFER@WESTCREEK.ORG

PROJECT DESCRIPTION:

THE BIG CREEK – STICKNEY CREEK GREENWAY IS A PARTNERSHIP INITIATIVE WITH THE CITY OF BROOKLYN TO CONSERVE, RESTORE AND CONNECT ECOLOGICAL ASSETS IN THE LOWER BIG CREEK GREENWAY. THIS PROPOSED PROJECT WILL PERMANENTLY PROTECT APPROXIMATELY 15 ACRES IN THE WATERSHED, LINKING CONSERVATION PROPERTIES ALONG THE BIG CREEK MAINSTEM AS WELL AS STICKNEY CREEK TRIBUTARY.

ESTIMATED PROJECT COST: \$850,000

ESTIMATED CLEAN OHIO APPLICATION: \$450,000

COUNCIL DISTRICT(S) OF PROPOSED PROJECT LOCATION: 3

SUBMIT THIS REQUEST FORM TO ALISON BALL AT ABALL@CUYAHOGACOUNTY.US BY SEPTEMBER 8, 2020 AT 4:30PM.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0171

Sponsored by: Councilmember Simon on behalf of Cuyahoga County Planning Commission	A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Natural Areas Land Conservancy for conservation of ecologically significant areas in Garden of Eleven Angels in the City of Cleveland, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has received a request from Natural Areas Land Conservancy for a Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Natural Areas Land Conservancy for the conservation of ecologically significant areas in Garden of Eleven Angels in the City of Cleveland; pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, Natural Areas Land Conservancy seeks to acquire and encumbrance with Clean Ohio deed restrictions of 8 parcels with a total area of approximately 0.8 acres in the Mount Pleasant neighborhood of the City of Cleveland. Clean Ohio funding will also support improvement to the property including native planting and passive park elements that will transform these vacant residential parcels into a memorial garden to honor the memory of the eleven women brutally murdered at the site. The Garden of Eleven Angels project will bring much needed closure to the families of the victims while also providing the historically disinvested neighborhood with a clean, safe and aesthetically pleasing urban greenspace at which to gather, reflect, and enjoy nature. Natural Areas Land Conservancy will acquire the parcels through Clean Ohio funds and oversee the improvements, and will then transfer the completed park to Burten, Bell, Carr Development, Inc. (a Community Development Corporation) for long term ownership and maintenance; and

WHEREAS, the project is known as “Garden of Eleven Angels” and is located in County Council District No. 9; and

WHEREAS, the total estimated project cost is \$275,000.00, of which \$100,000.00 is estimated for the Clean Ohio application; and

WHEREAS, Ohio Revised Code Section 164.23 provides that “an entity seeking a grant for a project that is eligible for funding shall submit an application to the

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

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

WHEREAS, the applications for the fifteenth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 30, 2020 to the Cuyahoga County Natural Resources Assistance Council; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby supports the submission of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of Natural Areas Land Conservancy for the conservation of ecologically significant areas in Garden of Eleven Angels, pursuant to Ohio Revised Code Section 164.23 and known as “Garden of Eleven Angels” Project.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2020

CUYAHOGA COUNTY COUNCIL RESOLUTION OF SUPPORT REQUEST FORM

PROJECT NAME: Garden of Eleven Angels

SPONSORING ORGANIZATION: Natural Areas Land Conservancy

CONTACT PERSON: Isaac Robb

PHONE: 503-385-6988

EMAIL: irobb@wrlandconservancy.org

PROJECT DESCRIPTION:

The Garden of Eleven Angels project will result in the fee simple acquisition and encumbrance with Clean Ohio deed restrictions of 8 parcels with a total area of approximately 0.8 acres in the Mount Pleasant neighborhood of the City of Cleveland. Clean Ohio funding will also support improvements to the property including native plantings and passive park elements that will transform these vacant residential parcels into a memorial garden to honor the memory of the eleven women brutally murdered at the site. The Garden of Eleven Angels project will bring much needed closure to the families of the victims, while also providing the historically disinvested neighborhood with a clean, safe, and aesthetically pleasing urban greenspace at which to gather, reflect, and enjoy nature. Natural Areas Land Conservancy will acquire the parcels through Clean Ohio funds and oversee the improvements, and will then transfer the completed park to Burten, Bell, Carr Development, Inc. (a Community Development Corporation) for long term ownership and maintenance.

ESTIMATED PROJECT COST: \$275,000

ESTIMATED CLEAN OHIO APPLICATION: \$100,000

COUNCIL DISTRICT(S) OF PROPOSED PROJECT LOCATION: District 9

SUBMIT THIS REQUEST FORM TO ALISON BALL AT ABALL@CUYAHOGACOUNTY.US BY SEPTEMBER 8, 2020 AT 4:30PM.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0172

Sponsored by: Councilmember Simon on behalf of Cuyahoga County Planning Commission	A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Seven Hills for conservation of ecologically significant areas in Seven Hills Preserve in the City of Seven Hills, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has received a request from City of Seven Hills for a Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Seven Hills for the conservation of ecologically significant areas in Seven Hills Preserve in the City of Seven Hills; pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, The Seven Hills Preserve property consists of 20 acres of open space at the northern portion of the City of Seven Hills. The proposed entails the acquisition and permanent protection of the full 20-acre property by the City of Seven Hills. City Administration fully support the permanent preservation of this land for passive green space and public enjoyment. The City has a financial commitment in place to demonstrate their obligation to creating and maintaining this property in perpetuity as a passive green space that includes a restorative tree planting plan and walking trail. This property is strategically located to the east of North Park and to the south of Brooklyn Heights Park. With successful Clean Ohio funding, this property will connect over 85 acres of contiguous green space across numerous municipal boundaries; and

WHEREAS, the project is known as “Seven Hills Preserve” and is located in County Council District No. 6; and

WHEREAS, the total estimated project cost is \$600,000.00, of which \$181,000.00 is estimated for the Clean Ohio application; and

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

addition to the application, an applicant for a grant for a project shall include a copy of a resolution supporting the project from each county in which the proposed project is to be conducted;” and

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

WHEREAS, the applications for the fifteenth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 30, 2020 to the Cuyahoga County Natural Resources Assistance Council; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby supports the submission of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of City of Seven Hills for conservation of ecologically significant areas in Seven Hills Preserve, pursuant to Ohio Revised Code Section 164.23 and known as “Seven Hills Preserve” Project.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 2020

CUYAHOGA COUNTY COUNCIL RESOLUTION OF SUPPORT REQUEST FORM

PROJECT NAME: Seven Hills Preserve

SPONSORING ORGANIZATION: City of Seven Hills

CONTACT PERSON: Isaac Robb

PHONE: 503-385-6988

EMAIL: irobb@wrlandconservancy.org

PROJECT DESCRIPTION:

The Seven Hills Preserve property consists of 20 acres of open space at the northern portion of the City of Seven Hills. The proposed project entails the acquisition and permanent protection of the full 20-acre property by the City of Seven Hills. City Administration fully support the permanent preservation of this land for passive green space and public enjoyment. The City has a financial commitment in place to demonstrate their obligation to creating and maintaining this property in perpetuity as a passive green space that includes a restorative tree planting plan and walking trail. This property is strategically located to the east of North Park and to the south of Brooklyn Heights Park. With successful Clean Ohio funding, this property will connect over 85 acres of contiguous green space across numerous municipal boundaries.

ESTIMATED PROJECT COST: \$600,000

ESTIMATED CLEAN OHIO APPLICATION: \$181,0000

COUNCIL DISTRICT(S) OF PROPOSED PROJECT LOCATION: District 6

SUBMIT THIS REQUEST FORM TO ALISON BALL AT ABALL@CUYAHOGACOUNTY.US BY SEPTEMBER 8, 2020 AT 4:30PM.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0173

Sponsored by: Councilmember Simon on behalf of Cuyahoga County Planning Commission	A Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in West Creek Greenway Expansion in the City of Parma, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Cuyahoga County has received a request from West Creek Conservancy for a Resolution supporting an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in West Creek Greenway Expansion in the City of Parma, pursuant to Ohio Revised Code Section 164.23; and

WHEREAS, West Creek Conservancy seeks to acquire an additional 35 acres to expand the West Creek Greenway Trail System, a dynamic inter-community System of conservation and recreation, protecting the ecologic integrity and functionality of the watershed, while also providing residential linkages to natural spaces, a partnership with Cleveland Metroparks and the City of Parma; and

WHEREAS, the project is known as “West Creek Greenway Expansion” and is located in County Council District No. 4; and

WHEREAS, the total estimated project cost is \$350,000.00, of which \$250,000.00 is estimated for the Clean Ohio application; and

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

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

WHEREAS, the applications for the fifteenth-round funding under the Clean Ohio Fund Green Space Conservation Program are due on October 30, 2020 to the Cuyahoga County Natural Resources Assistance Council; and,

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

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

SECTION 1. That the Cuyahoga County Council hereby supports the submission of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of West Creek Conservancy for conservation of ecologically significant areas in West Creek Greenway Expansion, pursuant to Ohio Revised Code Section 164.23 and known as “West Creek Greenway Expansion” Project.

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

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

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

Yeas:

Nays:

County Council President _____
Date

County Executive _____
Date

Clerk of Council _____
Date

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

Journal _____
_____, 2020

RESOLUTION OF SUPPORT REQUEST FORM

PROJECT NAME: WEST CREEK GREENWAY EXPANSION

SPONSORING ORGANIZATION: WEST CREEK CONSERVANCY

CONTACT PERSON: DEREK SCHAFFER

PHONE: 440-915-2940

EMAIL: DSCHAFFER@WESTCREEK.ORG

PROJECT DESCRIPTION:

WEST CREEK GREENWAY EXPANSION IS AN INITIATIVE TO EXPAND UPON CONSERVATION INITIATIVES WITHIN THE CITY OF PARMA; LINKING PEOPLE AND PLACES. WE ARE PROPOSING TO ACQUIRE AN ADDITIONAL 35 ACRES TO EXPAND THE WEST CREEK GREENWAY TRAIL SYSTEM, A DYNAMIC INTERCOMMUNITY SYSTEM OF CONSERVATION AND RECREATION, PROTECTING THE ECOLOGIC INTEGRITY AND FUNCTIONALITY OF THE WATERSHED, WHILE ALSO PROVIDING RESIDENTIAL LINKAGES TO NATURAL SPACES. A PARTNERSHIP WITH CLEVELAND METROPARKS AND THE CITY OF PARMA.

ESTIMATED PROJECT COST: \$350,000

ESTIMATED CLEAN OHIO APPLICATION: \$250,000

COUNCIL DISTRICT(S) OF PROPOSED PROJECT LOCATION: 4

SUBMIT THIS REQUEST FORM TO ALISON BALL AT ABALL@CUYAHOGACOUNTY.US BY SEPTEMBER 8, 2020 AT 4:30PM.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0174

Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management	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.
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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:

<u>Fund Nos./Budget Accounts</u>		<u>Journal Nos.</u>
A. General Fund		JE240
LW100125 – Risk Mgmt Settlements		
Other Expenses	\$	375,000.00

The Law Department requests an increase in the amount of \$375,000 in the Self Insurance account to have settlement funds readily available for the remainder of 2020. The original budget was approved for \$380,000, of which \$272,954 has since been spent. The past 3-year average in this account has been between \$750,000 to \$1,000,000 annually, excluding extraordinary settlements, and with this additional request the total for 2020 will be \$755,000 (excluding the extraordinary settlement of \$3 million approved on R2020-0126). The Self Insurance account is funded by the General Fund.

B. General Fund		JE251
LW100100 – Law Department		
Other Expenses	\$	(82,500.00)

The Law Department requests an appropriation decrease in the amount of \$82,500 to cover legal fees of the Executive per R2019-0171 (August 6th, 2019 Fiscal Agenda), which will now be paid out of the County Prosecutors Budget. The Prosecutors Budget is being increased in the same amount (See Item Y). The Law Department is funded by the General Fund.

C. Community Development		JE278
HS220100 – Homeless Services		
Other Expenses	\$	730,000.00

To increase appropriations on behalf of the Office of Homeless Services in this activity for additional agreements with the Ohio Development Services Agency (ODSA) of the State of Ohio for an Ohio Housing Trust Fund (OHTF) Grant Award for the PY2019 Homeless Crisis Response Program (HCRP). The grant award is for the period January 1, 2020 through February 28, 2022 in the amount of \$1,460,000.00. Initial appropriations were set up in the amount of \$730,000.00 on the 1/14/2020 agenda (BA2015001) and the remaining amount is being requested on this agenda. The grant funds are targeted to support the Continuum of Care Homeless Crisis Response System, which includes Coordinated Entry and Rapid Re-Housing activities. The Office of Homeless Services is authorized to sub contract with various providers to implement the Homeless Crisis Response Program activities. Because the ODSA grant “bridges” the calendar year, it is critical to have access to the full amount of the award in order to efficiently execute contract amendments and maintain funding for activities that are ongoing. The Grant Number with the State is: S-L-19-1DD-2. This grant is 100% funded by the Ohio Housing Trust Fund and there is no cash match required.

D. Community Development		JE280
HS220115 – Continuum of Care		
Other Expenses	\$	250,000.00

To increase appropriations on behalf of the Office of Homeless Services in this activity for a new planning grant agreement with the US. Department of Housing and Development (HUD). The grant award is for the period of January 1, 2021 through December 31, 2021 in the total amount of \$250,000.00. The grant funds are provided to improve local planning efforts that will directly impact the accountability and performance funded in the community through the Continuum of Care Program (CoC) Competition. The CoC program improves the lives of men, women, and children through direct housing and services programs funded under the CoC Program Competition. The Grant Number is OH0642L5E021900 and is 100% funded by HUD and there is no cash match required.

E. Capital Projects		JE166
PW600100 – Capital Projects		
Personal Services	\$	422.37

The Department of Public Works requests an appropriation increase in the Justice Center Backflow Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$115,200. The total expended on this project is \$17,613. This project is on the 2019 CIP and is funded by the General Fund Capital Improvement Subsidy.

F. Capital Projects		JE168
PW600100 – Capital Projects		
Personal Services	\$	829.37

The Department of Public Works requests an appropriation increase in the PRC Relocation Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$200,000. The total expended on this project is \$10,362.65. This project is on the 2019 CIP and is funded by the General Fund Capital Improvement Subsidy.

G. Capital Projects		JE169
PW600100 – Capital Projects		
Personal Services	\$	438.32

The Department of Public Works requests an appropriation increase in the Jail 2 Washers Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$167,640. The total expended on this project is \$103,146.69. This project is on the 2019 CIP and is funded by the General Fund Capital Improvement Subsidy.

H. Capital Projects		JE172
PW600100 – Capital Projects		
Personal Services	\$	9,744.25

The Department of Public Works requests an appropriation increase in the New Archives Storage Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$9,573,787.90. The total expended on this project is \$9,175,805.37. This project is on the 2016 CIP and is funded by the General Fund Capital Improvement Subsidy.

I. Capital Projects		JE302
PW600100 – Capital Projects		
Personal Services	\$	3,608.90
Other Expenses	\$	1,243.27

The Department of Public Works requests an appropriation increase in the Courthouse Square Cooling Tower Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$200,000. The total expended on this project is \$145,170. This project is on the 2016 CIP and is funded by the General Fund Capital Improvement Subsidy.

J. Capital Projects		JE303
PW600100 – Capital Projects		
Personal Services	\$	4,886.92
Other Expenses	\$	1,683.54

The Department of Public Works requests an appropriation increase in the Virgil E Brown Roof Replacement Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$3,818,323.34. The total expended on this project is \$3,246,100.25. This project is on the 2017 CIP and is funded by the General Fund Capital Improvement Subsidy.

K. Capital Projects		JE304
PW600100 – Capital Projects		
Personal Services	\$	54,140.36
Other Expenses	\$	23,290.71

The Department of Public Works requests an appropriation increase in the Police Headquarter Project at the Justice Center. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$6,200,000. The total expended on this project is \$5,402,215. This project is on the 2017 CIP and is funded by the General Fund Capital Improvement Subsidy.

L. Capital Projects		JE305
PW600100 – Capital Projects		
Personal Services	\$	11,290.81
Other Expenses	\$	4,915.96

The Department of Public Works requests an appropriation increase in the Halle Building 4th Floor Sprinkler System Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$275,000. The total expended on this project is \$82,094. This project is on the 2017 CIP and is funded by the General Fund Capital Improvement Subsidy.

M. Capital Projects		JE306
PW600100 – Capital Projects		
Personal Services	\$	1,460.75
Other Expenses	\$	503.23

The Department of Public Works requests an appropriation increase in the Harvard Garage Buildout Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$19,675,000. The total expended on this project is \$17,776,054. This project is on the 2018 CIP and is funded by the General Fund Capital Improvement Subsidy.

N. Capital Projects		JE307
PW600100 – Capital Projects		
Personal Services	\$	19,606.16
Other Expenses	\$	8,421.98

The Department of Public Works requests an appropriation increase in the Justice Center Jail Regionalization Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1/13/2020. The estimated cost of the total project is \$3,100,000. The total expended on this project is \$2,767,761. This project is on the 2018 CIP and is funded by the General Fund Capital Improvement Subsidy.

O. Capital Projects		JE308
PW600100 – Capital Projects		
Personal Services	\$	7,919.04
Other Expenses	\$	3,252.77

The Department of Public Works requests an appropriation increase in the Virgil E Brown Air Intake Project. This increase will cover the County Trade Personnel costs being placed in the capital project for pay 7/13/2020 expenses. The estimated cost of the total project is \$214,500. The total expended on this project is \$17,920. This project is on the 2018 CIP and is funded by the General Fund Capital Improvement Subsidy.

P. Capital Projects		JE309
PW600100 – Capital Projects		
Personal Services	\$	76,168.99
Other Expenses	\$	32,418.54

The Department of Public Works requests an appropriation increase in the Justice Center Building Facade Project. This increase will cover the County Trade Personnel costs being placed in the capital project for 4th quarter 2019 expenses as well as pay 1-13, 2020. The estimated cost of the total project is \$1,000,000. The total expended on this project is \$185,010. This project is on the 2019 CIP and is funded by the General Fund Capital Improvement Subsidy.

Q. Capital Projects		JE310
PW600100 – Capital Projects		
Personal Services	\$	193.38
Other Expenses	\$	66.62

The Department of Public Works requests an appropriation increase in the Justice Center Medium Voltage Project. This increase will cover the County Trade Personnel costs being placed in the capital project for pay 20 and 21 of 2019. There were 2019 4th quarter expenses already approved on the July 21st, 2020 agenda (R2020-0148) but pay 20 and 21 were omitted from those transfers, therefore being requested on this agenda. The estimated cost of the total project is \$93,370.00. The total expended on this project is \$14,717.90. This project is on the 2019 CIP and is funded by the General Fund Capital Improvement Subsidy.

R. Capital Projects		JE312
PW600100 – Capital Projects		
Personal Services	\$	2,000.00
Other Expenses	\$	50,000.00

The Department of Public Works requests an appropriation increase for the Jail 2 Dishwasher Replacement Project. Kitchen washing equipment within the Jail is under extremely heavy use conditions each day and multiple pieces of original equipment have failed or are failing despite constant repair and maintenance. This project was designed to replace failed or failing equipment and re-orient the washing flow based on usage input from the Jail management team.

Jail 2 kitchen is in need of a new dishwasher and the kitchen needs to be modified to allow this dishwasher to be installed. The total cost of the project is \$900,000 but only \$52,000.00 is needed at this time. This project is listed on 2020 CIP and will be funded by the General Fund Capital Improvement Subsidy.

S. Capital Projects		JE313
PW600100 – Capital Projects		
Personal Services	\$	2,000.00
Other Expenses	\$	25,000.00

The Department of Public Works requests an appropriation increase for the Animal Shelter Chiller Replacement Project. The chiller at the Animal Shelter needs to be replaced. This project consists of replacing one existing air handling unit and one condensing unit. The total cost of the project is estimated at \$490,000, but only \$27,000.00 is needed at this time. This project is listed on 2020 CIP and will be funded by the General Fund Capital Improvement Subsidy.

T. Other Legislative and Exec.		JE326
SS290100 – Soldiers & Sailors Spec Proj		
Other Expenses	\$	25,000.00
Capital Outlays	\$	50,000.00

The Office of Budget and Management on behalf of the Soldiers and Sailors Monument requests an appropriations increase in the amount of \$75,000 for Soldiers and Sailors Special Project Fund. This fund was established in May 2012 on Resolution R2012-0076 for extraordinary maintenance and capital improvements for the Cuyahoga County Soldiers and Sailors Monument. Revenues were received from the Soldiers and Sailors Monument Support Group in the amount of \$211,018.26 and Resolution R2013-0046 amended Resolution R2012-0076 which governed the County's acceptance and use of such funds to cover these extraordinary maintenance and capital improvements. The total fund for extraordinary maintenance and capital improvements would be for \$211,018.26 and appropriations would be set up on an "as needed basis", and only as requested by the Soldiers and Sailors commission. Total expenses to date are \$30,500.00 and there is a current cash balance of \$180,518.26.

U. Other Health and Safety		JE291
PJ280135 – State Homeland Security Proj		
Other Expenses	\$	24,000.00
Capital Outlays	\$	629,444.00

The Department of Public Safety and Justice Services is requesting appropriations in the amount of \$653,444.00 for a grant award that was received from the Ohio Emergency Management Agency. This award is effective from September 1, 2020 to December 31, 2020. This is a federal award, there is cash match required. The award document was approved on the 11/25/2019 agenda, Resolution No. BOC2019-884.

V. Other Judicial		JE292
DR285105 – Dom Relations Other Jud Grants		
Other Expenses	\$	44,160.00

The Office of Budget and Management on behalf of Domestic Relations is requesting an appropriation increase of \$44,160. The Ohio Supreme Court has awarded a grant for the

purchase of laptops for staff to work remotely. The grant period is from April 6, 2020 to November 30, 2020. There is no cash match required.

W. Victim Assistance		JE294
PJ325130 – VAWA Administration Grant		
Personal Services	\$	22,637.86
Other Expenses	\$	318.98

Department of Public Safety & Justice Services is requesting appropriations in the amount of \$22,956.84 for the FY2019 Violence Against Women Act Administrative Award. The award period is for 1/1/2020-12/31/2020, which includes a 25% cash match (\$5,739.21) that is assumed under the Public Safety and Justice Services general fund. The award document was received by the Department of Public Safety & Justice Services was approved on the 10/28/2019 agenda, Resolution No. BC2018-740. Funding Source is Ohio Department of Public Safety, Office of Criminal Justice Services

X. Community Development		JE295
DV220160 – Emergency Solutions Develop.		
Other Expenses	\$	1,726,594.00

The Department of Development is requesting an appropriation increase of \$1,726,594.00. This is to support the 2nd CARES Act Award to the County. Funding is provided by the US Department of Housing and Urban Development for the period of 8/10/20 through 9/30/22 with no cash match.

Y. General Fund		JE279
PS100100 – General Office		
Personal Services	\$	82,500.00

The Office of Budget and Management on behalf of the Prosecutors Office is requesting an appropriation increase of \$82,500 to cover legal fees for the Executive per R2019-171 (August 6, 2019 Fiscal Agenda). This item offsets Item B (requesting a corresponding decrease to the Law Department’s budget). This expense is funded by the General Fund.

Z. General Fund Assigned		JE314
ME105105 – Coroner’s Lab		
Personal Services	\$	662,149.00

The Medical Examiner’s Office is requesting an appropriation increase in the amount of \$662,149.00. This is to support the personnel charges accumulated from Out of County Autopsies completed by the office during the year that are historically charged to the Coroner’s Lab. Funding is provided by the Medical Examiner’s Coroner’s Lab Fund, which has an available cash balance (as of 9-Sep) of \$786,396.

AA. Other Health & Safety		JE315
PJ280170 – Covid 19 – Supplemental EMPG		
Personal Services	\$	77,938.79

The Department of Public Safety & Justice Services, Office of Emergency Management is requesting to establish the appropriation/budget for the FY2020 Emergency Management Performance Grant Program COVID-19 Supplemental award (EMPG-S) This award was

accepted and signed by the Executive on 7/29/2020, BC2020-439. The award is in the amount of \$77,938.79. There is no cash match associated with this award. The period for this award is 1/27/2020-9/30/2021.

AB. Children Services		JE317
HS215100 – Client Support Services		
Other Expenses	\$	17,400.00

The Department of Children and Family Services request an appropriations in the amount of \$17,400 for the 2020 Graduation Allocation awarded by Ohio Department of Job & Family Services. The \$17,400 payment from the State was received and deposited on August 20, 2020.

AC. Other Judicial		JE318
JC285130 – Subsidy-Operation & Maint. of		
Other Expenses	\$	21,990.78

The Juvenile Court requests an appropriation for a cash transfer to close out an obsolete subfund. The Juvenile Court Operation and Maintenance fund was established to collect funds received from the Ohio Department of Youth Services to support the operation and maintenance of a detention facility. Legislative changes that took effect in 2002 terminated the Court's ability to earn revenue from this source. Since the original purpose of this fund no longer exists, this request would transfer the remaining cash to the General Fund. The fund has received various revenue deposits unrelated to the original purpose of this fund including fines, fees, child support, jury duty, and employee reimbursements, all of which are appropriate deposits for the General Fund. The \$21,990.78 cash transfer was approved in early 2020 (R2020-0030) prior to conversion to ERP, with the intent to use decertified carryover appropriation for the cash transfer expense. However, the carryover encumbrance was not decertified until after conversion to ERP, and in the ERP, carryover appropriation from a decertified encumbrance does not remain in the current year budget and must be re-authorized.

AD. General Fund		JE319
BE290135 – BOE-CARES Election Grant		
Personal Services	\$	161,000.00
Other Expenses	\$	716,587.00
Capital Outlays	\$	155,000.00

The Board of Elections requests appropriation for the CARES ACT election grant. Funding is provided by the Department of Homeland Security to secretaries of states. Directive outlines that funds are supplemental to board of elections regularly approved appropriation to be used in response and preparation to COVID-19. Cuyahoga county received \$1.03 million. Funding source is Ohio Secretary of State via CARES ACT.

AE. Other Judicial		JE321
PD285100 – Public Defender-Cleveland Munici		
Personal Services	\$	24,604.00

The Office of Public Defender requests an appropriation increase to its Cleveland Municipal Division budget to increase the 2020 budget to match the \$2,237,350 2020 pending Agreement with the City of Cleveland for indigent legal services. The Agreement between the County and City is on this same Council agenda. The request would increase the 2020 budget to \$2,172,184. The City of Cleveland reimburses expenditures pursuant to the Agreement including a three

percent administrative fee. The requested budget of \$2,172,184 plus three percent administrative fee equals the total Agreement. Funding Source City of Cleveland.

AF. Other Judicial		JE324
DR285105 – Dom Relations Other Jud Grants		
Other Expenses	\$	5,000.00

The Office of Budget and Management, on behalf of Domestic Relations, is requesting appropriations in the amount of \$5,000 for the 2020 Online Notarization Pilot Project. This grant is funded by the Ohio Supreme Court from June 3, 2020 to May 30, 2021. There is no cash match requirement.

AG. Children Services		JE275
HS215110 – Purch. Congregate & Foster Care		
Other Expenses	\$	1,974,894.20

The Department of Children and Family Services requests and appropriation increase in the amount of \$1,974,894.20 for SFY20 Multi-System Youth Allocation funding awarded by Ohio Department of Job and Family Services. The Multi-System Youth funding was allocated to pay for the following activities: Prevent parental relinquishment of custody to the PCSA solely for a child obtaining needed treatment; Support the care of children in the custody of a PCSA for congregate care providing the services and supports necessary to ensure the child's successful transition from a congregate care facility after discharge. The SFY20 Multi-System allocation is reimbursable on a quarterly basis from the State of Ohio Department of Job and Family Services.

AH. Human Services		JE268
HS260305 – Multi-system Youth Custody		
Other Expenses	\$	37,604.81

The Family and Children First Council requests to appropriate a grant from Ohio Department of Medicaid for Multi System Youth (MSY). FCFC submitted two applications to the state for two youth that are placed in the Tiffin Developmental Center. Both applications were approved and received \$37,604.81. Each of the FCFCs across the state of Ohio have an MOU with the state Medicaid office regarding these funds. Per the agreement funding can be applied for on a case-by-case basis to support youth and families who meet the criteria for the MSY program. Funds will be used to reimburse public systems for costs incurred. Funding source is Ohio Department of Medicaid.

AI. Victim Assistance		JE250
PJ325105 – Domestic Viol. High Risk Team		
Personal Services	\$	(143,045.72)
Other Expenses	\$	(54,303.49)

The Department of Public Safety & Justice Services is requesting an appropriation reduction in accounting unit PJ325105, Domestic Violence High Risk Team. Both awards in this accounting unit ended 12/31/2019 and have been fiscally closed. All expenses have been paid, cash received and awards closed with the Department of Justice, Office of Justice Programs. The activities associated with this accounting unit have been closed (2014-HI-AX-K003 and 2016-HI-AX-K001). GL298 budget balances dated 8/11/2020 attached, match all Federal documents.

SECTION 2. That the 2020/2021 Biennial Operating Budget for 2020 be amended to provide for the following appropriation transfers:

Fund Nos./Budget Accounts

A.	FROM: Human Services		JE283
	HS260180 – Tapestry System of Care		
	Personal Services	\$	285,000.00
	TO: Human Services		
	HS260155 – Foster & Adopt. Parent		
	Personal Service	\$	285,000.00

The HHS Division of Children and Family Services is requesting an appropriation transfer in the amount of \$285,000 to cover remaining year personnel expenses. Funding includes Public Assistance, Public Childrens Services and Health and Human Services Levy Funds.

B.	FROM: Human Services		JE322
	HS260225 – Client Support Svcs		
	Other Expenses	\$	400,000.00
	TO: Human Services		
	HS260215 – VEB Bldg NFSC		
	Personal Services	\$	400,000.00

The HHS Division of Job and Family Services is requesting an appropriation transfer in the amount of \$400,000 to cover the projected shortfalls in personnel expenses for the year. The funding source is Public Assistance and Health and Human Service Levy Funds.

SECTION 3. 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: General Fund		GL002
	PJ100105 – Public safety Grants Admin		
	Trans Out – Transfer Out	\$	5,739.21
	TO: Victim Assistance		
	PJ325130 – VAWA Administration Grant		
	Trans In -Transfer In	\$	5,739.21

The Office of Budget and Management is requesting a cash transfer for the cash match requirement for the FY2019 Violence Against Women Act Administration grant. This grant was awarded by the Ohio Department of Public Safety, Office of Criminal Justice Services for the period January 1, 2020 to December 31, 2020. The approval to accept the award was granted on October 29, 2019, BC2019-783. The cash match is funded by the General Fund, whereas it is included in the 2020 approved budget.

B. FROM: Motor Vehicle Gas Tax	GL003
PW270200 – Road Capital Improvements	
Trans Out – Transfer Out	\$ 9,061,130.12
TO: Road Capital Projects	
PW605100 – ODOT-LPA	
Trans In -Transfer In	\$ 9,061,130.12

The Department of Public Works requests cash transfers from its \$5.00 and \$7.50 Road & Bridge funds to support various projects. The appropriation requests for these cash transfers are requested on the same fiscal agenda. The cash balance in the \$5 and \$7.50 were \$12,511,315 and \$11,491,880 as of July 31, 2020 respectively. The cash transfers to projects include the following: \$44,991.04 to Cedar Rd., \$444,360.04 to Warrensville Center Rd., \$456,042.45 W. 130th St., \$302,862.28 Brainard Rd., \$1,797,322.40 Memphis Rd., \$1,017,738.78 E. 116th St., \$2,757,389.46 Mastick Rd., \$403,457.03 Ridge Rd., and \$1,836,966.63 Sprague Rd.

C. FROM: Health and Human Services Levy	GL004
FS255110 – HHS Levy 3.9 Subsidies	
Trans Out – Subsidy Out	\$ 7,200,000.00
TO: Human Services	
HS260255 – Ofc of the Director	
Trans In - Subsidy In	\$ 7,200,000.00

The Office of Budget and Management is requesting a cash transfer of \$7,200,000, to provide the 1st half of the year cash subsidy for HHS Division of Senior and Adult Services. Funding Source is Health and Human Services Levy.

D. FROM: County Parking Garage	GL005
FS255110 – County Parking Garage	
Trans Out – Transfer Out	\$ 1,196,587.00
TO: General Fund	
FS100900 – Non-Departmental Rev/Exp	
Trans In – Transfer In	\$ 1,194,587.00
General Fund	
FS500160 – 2017 Sales Tax Bonds	
Trans In – Transfer In	\$ 2,000.00

The Department of Public Works requests a cash transfer to reimburse the General Fund for debt service payments made for renovations at the Huntington Park Garage and a \$2,000 trustee fee. Funding comes from parking fees paid by employees and the public. The debt repayment schedule has two payments per year totaling approximately \$1.5 million annually through 2037, and this cash transfer would cover the payment due January 1, 2021. The cash balance in the County Parking Garage fund as of July 31, 2020 was \$5,936,465.

E. FROM: General Fund	JE041
FS100350 – General Fd Operating Subsidies	
Trans Out – Subsidy Out	\$ 16,730,160.21

TO:	Debt Service		
	FS500140 – Debt Service County Hotel		
	Trans In - Subsidy In	\$	15,702,801.03
	Debt Service		
	FS500100 – Bond Retirement-General		
	Trans In - Subsidy In	\$	1,027,359.18

The Office of Budget and Management requests operating subsidy transfers to Hotel Debt Service and General Obligation Bond Retirement. Increased need for the County hotel is reflective of the reduced occupancy as a result of COVID-19. Subsidy to General Obligation Bond Retirement is due to reduced property tax collection as a result of COVID-19. The 2020 Alternative Tax Budget allocated a greater share of inside property tax millage to the General Fund with the assumption that existing balance in the General Obligation Bond Retirement Fund would be sufficient to cover the small revenue deficit. As a result of reduced property tax collection revenue, the General Fund must cover the shortfall. Funding source is General Fund.

F.	FROM: Health and Human Services Levy		JE043
	FS255110 – HHS Levy 3.9 Subsidies		
	Trans Out – Subsidy Out	\$	3,591,189.31
	TO: Cuyahoga Support Enforcement		
	HS245100 – Cuyahoga Supp. Enforcement Ag		
	Trans In - Subsidy In	\$	3,019,310.81
	Cuyahoga Support Enforcement		
	HS280100 – Fatherhood Initiative		
	Trans In - Subsidy In	\$	571,878.50

The Office of Budget and Management is requesting a cash transfer, \$3,591,189.31, to provide the 1st half of the year subsidies for the HHS-Office of Child Support, \$3,019,310.81 and HHS-Fatherhood Initiative, \$571,878.50 Funding source is Health and Human Service Levy 3.9 Subsidies.

G.	FROM: Health and Human Services Levy		JE043
	FS255110 – HHS Levy 3.9 Subsidies		
	Trans Out – Subsidy Out	\$	331,639.49
	TO: Human Services		
	HS260230 – Children w/ Med Handicap		
	Trans In - Subsidy In	\$	331,639.49

The Office of Budget and Management is requesting a cash transfer, \$331,639.49, to provide the 1st half of the year subsidies for HHS-Children with Medical Handicaps. Funding source is Health and Human Service Levy 3.9 Subsidies.

H.	FROM: Health and Human Services Levy		JE045
	FS255105 – HHS Levy 4.8 Subsidies		
	Trans Out – Subsidy Out	\$	37,802,051.00

TO: Human Services
 HS260130 – Office of the Director
 Trans In - Subsidy In \$ 16,827,051.00

Children’s Services
 HS215110 – Purch. Congregate & Foster Care
 Trans In - Subsidy In \$ 20,975,000.00

The Office of Budget and Management is requesting a cash transfer of \$37,802,051 to provide the 1st half of the year subsidies for the HHS Division of Children and Family Services. Funding Source is Health and Human Services Levy.

I. FROM: Health and Human Services Levy **JE046**
 FS255105 – HHS Levy 4.8 Subsidies
 Trans Out – Subsidy Out \$ 930,754.72

TO: Victim Assistance
 PJ325100 – Witness Victim HHS
 Trans In - Subsidy In \$ 930,754.72

The Office of Budget and Management is requesting a cash transfer of \$930,754.72 to provide the 1st half of the year subsidies for the Department of Public Safety and Justice Services . The source of funding for the subsidy is the Health and Human Services Levy.

J. FROM: General Fund **JE048**
 FS100350 – General Fd Operating Subsidies
 Trans Out – Subsidy Out \$ 148,168.31

TO: Other Health and Safety
 PJ280100 – Emergency Management
 Trans In - Subsidy In \$ 148,168.31

The Office of Budget and Management is requesting a cash transfer, \$148,168.31, for Public Safety and Justice Services based on the projections at mid-year. Funding source is General Fund Operating Subsidy.

K. FROM: Health and Human Services Levy **JE049**
 FS255110 – HHS Levy 3.9Subsidies
 Trans Out – Subsidy Out \$ 5,840,358.00

TO: Human Services
 HS260240 – Early Start
 Trans In - Subsidy In \$ 5,840,358.00

The Office of Budget and Management requests operating subsidy transfer from HHS Levy Fund to Office of Early Childhood. Subsidy transfers represent half of projected subsidy for fiscal year 2020. Funding source is Health and Human Services Levy.

L.	FROM: Health and Human Services Levy FS255110 – HHS Levy 3.9Subsidies Trans Out – Subsidy Out	\$ 1,761,358.00	JE049
	TO: Human Services HS260300 – Family and Children First Trans In - Subsidy In	\$ 1,761,358.00	

The Office of Budget and Management requests operating subsidy transfer from HHS Levy Fund to Family and Children First Council. Subsidy transfers represent half of projected subsidy for fiscal year 2020. Funding source is Health and Human Services Levy.

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

Journal CC039
September 15, 2020



To: Jeanne Schmotzer, Clerk of County Council

From: Walter Parfejewiec, Office of Budget and Management

Date: September 9, 2020

Re: Fiscal Agenda – 9/15/2020

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 **September 15, 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.
- Request to provide appropriation increase for the projects approved in the 2019 and 2020 (CIP) Capital Improvement Plans budget.
- Appropriation realignments as requested.
- Request cash transfers to provide subsidies to various departments.
- Request cash transfers as requested.

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	Items	Funding Source	Purpose
Board of Elections	\$1,032,587.00	AD	Special Revenue – No General/HHS Levy Fund Impact	Increase Appropriation
Domestic Relations	\$49,160.00	V, AF	Grant – No General/HHS Levy Fund Impact	Grant Appropriation
Development	\$1,726,594.00	X	Grant – No General/HHS Levy Fund Impact	Grant Appropriation

Children and Family Services	\$1,992,294.20	AB, AG	Special Revenue – No General/HHS Levy Fund Impact	Appropriation Increase
Homeless Services	\$980,000.00	C, D	Grant – No General/HHS Levy Fund Impact	Grant Appropriation
Family and Children First Council	\$37,604.81	AH	Special Revenue – No General/HHS Levy Fund Impact	Appropriation Increase
Juvenile Court	\$21,990.78	AC	General Fund	Appropriation Increase
Law Department	\$292,500.00	A, B	General Fund	Appropriation Increase
Medical Examiner	\$662,149.00	Z	Special Revenue – No General/HHS Levy Fund Impact	Appropriation Increase
Public Defender	\$24,604.00	AE	Special Revenue – No General/HHS Levy Fund Impact	Appropriation Increase
Prosecutor Office	\$82,500.00	Y	General Fund	Appropriation Increase
Public Safety & Justice Services	\$731,382.79	U, AA	Grant – No General/HHS Levy Fund Impact	Grant Appropriation
Public Safety & Justice Services	\$22,956.84	W	Grant – No General/HHS Levy Fund Impact	Grant Appropriation
Public Safety & Justice Services	\$(197,349.21)	AI	Grant – No General/HHS Levy Fund Impact	Grant Appropriation
Public Works	\$337,492.24	E - S	Capital Projects	Project Appropriation
Soldiers and Sailors	\$75,000.00	T	Special Revenue – No General/HHS Levy Fund Impact	Appropriation Increase

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

Department	Amount Transferred	Items	Funding Source	Purpose
Human Services	\$685,000.00	A, B	PA Fund/HHS Levy Fund Impact	Appropriation Realignment

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

Department	Amount Transferred	Items	Funding Source	Purpose
Public Safety & Justice Services	\$5,739.21	A	Grant/General Fund	Cash Transfer
Public Works	\$9,061,130.12	B	Special Revenue – No General/HHS Levy Fund Impact	Cash Transfer
Human Services/DSAS	\$7,200,000.00	C	HHS Levy Fund	Cash Transfer
Department of Public Works	\$1,196,587.00	D	Special Revenue – No General/HHS Levy Fund Impact	Cash Transfer
Fiscal Office/OBM	\$16,730,160.21	E	General Fund	Cash Transfer
Human Services/CSEA	\$3,922,828.80	F	HHS Levy Fund	Cash Transfer
Human Services/JFS	\$331,639.49	G	HHS Levy Fund	Cash Transfer
Human Services/DCFS	\$37,802,051.00	H	HHS Levy Fund	Cash Transfer
Public Safety & Justice Services/Witness Victim HHS	\$930,754.72	I	HHS Levy Fund	Cash Transfer
Public Safety & Justice Services/Emergency Management	\$148,168.31	J	HHS Levy Fund	Cash Transfer
Human Services/Invest In Children	\$5,840,358.00	K	HHS Levy Fund	Cash Transfer
Human Services/FCFC	\$1,761,358.00	L	HHS Levy Fund	Cash Transfer

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0175

<p>Sponsored by: County Executive Budish/Department of Law and County Sheriff</p>	<p>A Resolution approving an amendment to a Collective Bargaining Agreement between Cuyahoga County and Ohio Patrolmen’s Benevolent Association, representing approximately 125 employees in the classification of Protective Services Officer at the Sheriff’s Department for the period 1/1/2018 - 12/31/2020 to amend the terms of Bereavement and to modify Article 47; directing that funds necessary to implement the amendment be budgeted and appropriated; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Cuyahoga County and the Ohio Patrolmen’s Benevolent Association, Protective Services Officers’ bargaining unit (“the Union”), have agreed to amend the Collective Bargaining Agreement (CBA) representing approximately 125 employees in the classification of Protective Services Officer for the period 1/1/2018 – 12/31/2020 in order to modify Article 47 of the CBA; and

WHEREAS, the parties desire to amend the CBA under the terms of the attached tentative agreement which has been ratified and approved by the Union members; 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 fourteen days of the date on which the parties finalize the agreement, unless otherwise specified, but if the appropriate 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, it is necessary that this Resolution become effective immediately 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 an amendment to a Collective Bargaining Agreement between Cuyahoga County and Ohio Patrolmen's Benevolent Association, representing approximately 125 employees in the classification of Protective Services Officer at the Sheriff's Department for the period 1/1/2018 - 12/31/2020 to amend the terms of Bereavement and to modify Article 47 of that CBA.

SECTION 2. Funds necessary to implement the amendment of the CBA shall be budgeted and approved.

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 the 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 CC039
September 15, 2020

**AGREEMENT TO AMEND ARTICLE 47 OF
THE COLLECTIVE BARGAINING AGREEMENT
BETWEEN CUYAHOGA COUNTY AND
THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION, PROTECTIVE SERVICES
OFFICERS’ BARGAINING UNIT REGARDING BEREAVEMENT LEAVE**

Parties: This Memorandum of Understanding is entered by and between Cuyahoga County, Ohio, as the public employer (“County”), and the Ohio Patrolmen’s Benevolent Association, Protective Services Officers’ bargaining unit (“Union”). The County and the Union are collectively referred to herein as “the Parties.”

Background Facts: The County and the Union are parties to a collective bargaining agreement (“CBA”) governing terms and conditions of employment of the Protective Services Officers at the Cuyahoga County Sheriff’s Department. The CBA is effective from January 1, 2018 through December 31, 2020 and includes a provision regarding Bereavement Leave in Article 47 of the CBA. The Parties engaged in good faith negotiations and reached an agreement as stated below.

Terms: Article 47 of the CBA between the Parties are amended as follows effective July 1, 2019 (deleted language is stricken and new language appears in **Bold**):

ARTICLE 47. BEREAVEMENT

SECTION 1. Bereavement leave shall be provided in accordance with the County’s Policies and Procedures Manual. If any changes are made to bereavement leave, the Parties shall meet to discuss whether bereavement leave shall be provided in accordance with the revised County’s Policies and Procedures Manual or Sections 2, 3, and 4 of this Article.

SECTION 12. All Employees covered by this Agreement shall be entitled to receive up to three (3) consecutive days of bereavement leave with pay, one of which must be used to attend the funeral, in the event of a death in the Employee’s immediate family. These three (3) days of bereavement leave shall not be chargeable to the Employee’s sick leave. Upon the Employee’s request, two (2) additional days of bereavement leave shall be granted by the Employer, which shall be charged against the Employee’s accumulated paid sick leave.

SECTION 23. “Immediate family” shall be defined as the Employee’s parents (natural, step, or foster); spouse, children; Employee’s siblings; spouse’s siblings; natural grandparents; and spouse’s parents, or any individual for which the Employee stands “in loco parantis”.

SECTION 34. Leave for deaths other than those specified above may be granted by the Employer and may either be deducted from accrued vacation time, accrued compensatory or exchange time, or without pay. Such leaves shall be for a period of not more than one (1) day to attend the funeral if within the State of Ohio or two (2) days when

the funeral is outside the State of Ohio. Any additional time off requested by the Employee is subject to the approval of the Employer.

FOR THE UNION:

FOR CUYAHOGA COUNTY:

 Dominic Saturday Date
 O.P.B.A. Counsel

 Armond Budish, Date
 Cuyahoga County Executive

 James Rookard Date
 O.P.B.A. Director

 Dean Conforte Date
 O.P.B.A. Director

 Roger Mook Date
 O.P.B.A. Director

 Mike Stone Date
 O.P.B.A. Director

 Levictus Doughty Date
 O.P.B.A. Director

 Leroy Hucks Date
 O.P.B.A. Director

Approved as to Legal Form:

 Todd M. Ellsworth,
 Assistant Law Director
 Cuyahoga County Department of Law

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0176

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s reappointment of Grace Gallucci to serve on the City of Cleveland/ Cuyahoga County Workforce Development Board for the term 7/1/2020 - 6/30/2023, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Cuyahoga County Charter Section 6.04, entitled Special Boards and Commissions, states that “[w]hen general law or any agreement with another public agency or court order provides for appointment of members of a special board or commission or other agency by the board of county commissioners, such appointment shall be made by the County Executive, subject to confirmation by the Council,” and

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

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

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

WHEREAS, the County Executive has nominated Grace Gallucci to serve on the City of Cleveland/Cuyahoga County Workforce Development Board for the term 7/1/2020 – 6/30/2023; and

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

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



September 4, 2020

Dan Brady, President
Cuyahoga County Council
Cuyahoga County Administration Building
2079 E.9th, 8th Floor
Cleveland, OH 44115

Re: Cleveland/Cuyahoga County Workforce Development Board

Dear President Brady:

The Cleveland/Cuyahoga County Workforce Development Board fulfills the functions outlined in the Workforce Innovation and Opportunity Act of 2014. This joint operation between the City of Cleveland and Cuyahoga County provides public policy guidance and exercises oversight of local programs of workforce activities. For this Board, I am pleased to nominate the following individual for reappointment:

- **Grace Gallucci**, 3-year term, 7/1/2020 – 6/30/2023

Supporting documentation, including biographical information about the nominee are attached for your review.

There are 3 additional candidates on file that have applied for this position.

I ask that this appointment be set for confirmation as soon as possible. Should you or any of your colleagues have any questions, please feel free to contact Michele Pomerantz at 216-258-8921. I thank you for your assistance.

Sincerely,

Armond Budish

Grace Gallucci

Grace Gallucci is the Executive Director for the Northeast Ohio Areawide Coordinating Agency, which is the Metropolitan Planning Organization (MPO) for greater Cleveland and is responsible for transportation planning and resource allocation in the five-county region.

Ms. Gallucci has nearly 25 years of finance and planning experience in the field of transportation. Her prior positions include working for the Chicago Regional Transportation Authority where she held the position of Chief Financial Officer and Senior Deputy Executive Director of Finance and Performance Management, as well as the position of Deputy Executive Director of Research of Analysis and Policy Development. She also held the posts of Director of Office of Management & Budget, Director of Finance, and Manager of Financial Analysis & Budgets for the Greater Cleveland Regional Transit Authority. She stated her career in transportation as a budget and management analyst for the Office of Transportation in Broward County of Florida, working with both highways and mass transit issues, including the creation of Tri-Rail.

Ms. Gallucci has been an adjunct professor of Cleveland State University, Kent State University, and the University of Illinois at Chicago teaching courses in public finance, economics, public policy and transportation management. She holds a Master of Science in Urban Studies from Cleveland State University, and both a Master of Public Administration and a Bachelor of Science in Business Administration from the University of Dayton.

She is active in various professional organizations including the American Public Transportation Association and the Government Finance Officers Association. She has served on many research panels for the Transportation Research Board of the National Academies of Science and has been appointed by Transportation Secretary Ray LaHood, to serve on the Transportation Review Advisory Committee for the U.S. Department of Transportation. Ms. Gallucci has received many honors including being named one of Crain's Business "40 under 40" and receiving the distinguished alumni award from Cleveland State University's Levin College of Urban Affairs.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0177

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s appointment of Jenita McGowan to serve on the Cuyahoga Arts and Culture Board of Trustees for the term 4/1/2020 - 3/31/2023, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ohio Revised Code Chapter 3381, a regional arts and cultural district was established in Cuyahoga County to provide programs and activities in areas directly concerned with the arts or cultural heritage; and

WHEREAS, such regional arts and cultural district is governed by a Board of Trustees called the Cuyahoga Arts and Culture Board of Trustees consisting of five (5) members having broad knowledge and experience in the arts or cultural heritage and shall have other qualifications as outlined in the by-laws; and

WHEREAS, pursuant to Ohio Revised Code Section 3381.05, the Board of Trustees shall be appointed to a three (3) year term; and

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

WHEREAS, the County Executive has nominated Jenita McGowan (replacing Gwen Garth) to be appointed to serve on the Cuyahoga Arts and Culture Board of Trustees for the term 4/1/2020 – 3/31/2023; and

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

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

SECTION 1. The Council of Cuyahoga County hereby confirms the County Executive's appointment of Jenita McGowan to serve on the Cuyahoga Arts and Culture Board of Trustees for the term 4/1/2020 – 3/31/2023.

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

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

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20____



September 4, 2020

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

Re: Cuyahoga Arts and Culture (CAC) Board of Trustees

Dear President Brady,

I submit the following nomination for appointment to the Cuyahoga Arts and Culture (CAC) Board of Trustees:

- **Jenita McGowan**, 3-year term, 4/1/2020 – 3/31/2023 (replacing Gwen Garth)

Cuyahoga Arts & Culture (CAC) is authorized by Ohio Revised Code Chapter 3381. The CAC is the public funder for arts & culture events and, has awarded over 1,200 grants, to more than 300 organizations serving Cuyahoga County residents. The Board consists of five members appointed by the County Executive, subject to Council confirmation. ORC 3381.05 outlines the qualifications for trustees as a set of persons who:

- Have broad knowledge and experience in the arts or cultural heritage;
- At least two members...shall be persons who devote a major portion of their time to practicing, performing, or teaching any of the arts or who are professional administrators in any field of the arts or cultural heritage;
- Shall be qualified electors in Cuyahoga County.

A copy of Jenita McGowan's resume is attached.

There are no known conflicts of interest for which an advisory opinion has been requested. This board is uncompensated. There are no other candidates on file for this position.

Thank you for your consideration of these appointments. Should you or any of your colleagues have any questions, please feel free to contact Michele Pomerantz in my office at 216-443-7125.

Sincerely,

Armond Budish
County Executive

Jenita McGowan

Cleveland, Ohio, United States

Summary

I'm an effective leader with more than a decade of sustainability experience in the corporate and public sectors. My achievements include setting sustainability strategy and goals, ESG reporting and transparency, policy, program development, communication and building employee engagement to achieve positive change.

Experience

Sustainability Manager

Eaton

Oct 2018 - Present (2 years +)

As Sustainability Manager, I help guide and facilitate action around Eaton's commitment to environmental stewardship, social responsibility and governance –ESG.

- Led the development of our Science-Based Climate target
- Critical role in developing our 2030 Sustainability Targets
- Lead the development of our annual sustainability reports and associated ESG disclosures including GRI, SASB and TCFD alignment.



Sustainability Manager

Northeast Ohio Regional Sewer District

Dec 2016 - Oct 2018 (1 year 11 months)

Tasked with creating a new sustainability program for the District focused on efficient use of resources, social responsibility, and protecting and enhancing our natural environment.

- Energy data management program
- Sustainability Report
- Greenhouse gas inventory



Chief of Sustainability

City of Cleveland

Jan 2012 - Oct 2016 (4 years 10 months)

As Chief of Sustainability, I was responsible for advising the City of Cleveland on policies related to sustainability and the oversight of the Office of Sustainability; leading the coordination of Sustainable Cleveland 2019 to develop new strategies that allow Cleveland to use sustainability as an innovation engine for economic growth, and reducing the City's ecological footprint with solutions that also save the City money.

Outcomes include:

- Creation of a Climate Action Plan
- Community Electricity Aggregation sourcing 100% renewable energy
- Implementing a Green Building Policy
- Creation and Implementation of a Complete and Green Streets Ordinance
- Leading the Sustainable Cleveland 2019 initiative



Sustainability Manager

City of Cleveland

2010 - 2012 (3 years)

Managed projects, programs and grants for the City of Cleveland including:

- Cleveland Green Venues
- Composting at the West Side Market
- Complete and Green Streets Ordinance
- Riparian Setback Zoning
- Sustainable Cleveland 2019 working group facilitation and Summit
- Grant writing, management and reporting
- Public Presentations



Healthy Lifestyles Coordinator

Urban Community School

Sep 2009 - Apr 2010 (8 months)

Developed a local food program including successful grant-writing, assisting with the start of a school garden, healthy food curriculum and after school programming, and other educational activities to engage parents and students.



You Can Count on Me Campaign Coordinator

Neighborhood Connections

Sep 2009 - Apr 2010 (8 months)

Community organizing in "hard-to-count" neighborhoods for the 2010 Census in coordination with Cohio and the City of Cleveland municipal government.



Fellow

Cleveland Executive Fellowship

Sep 2008 - Sep 2009 (1 year 1 month)

Sustainability Focused Placements:

MC2 STEM Hub

A Piece of Cleveland: Upcycling and re-use

All Aboard Ohio: Sustainable transportation planning and policy

Cleveland Cuyahoga County Food Policy Coalition: Local food policy

Cleveland Neighborhood Development Coalition: Communication and environmental sustainability at the neighborhood level



Modern Dancer and Dance Educator

Various Dance Companies

2001 - May 2009 (8 years 5 months)

A member of several Cleveland-based dance companies including Antaeus Dance, Dancing Wheels, Verb Ballets and The Repertory Project. I also taught at Lakeland Community College and at Young Audiences of Northeast Ohio (now called the Center for Arts Inspired Learning).



Office Assistant

Cleveland City Council

Sep 2007 - Sep 2008 (1 year 1 month)

Assistant to Councilman Joe Cimperman.

Education



Weatherhead School of Management at Case Western Reserve University

MNO, Masters in Nonprofit Management

2006 - 2008



Kent State University

BS, Magazine Journalism

1996 - 2001



Kent State University

BFA, Dance Performance

1996 - 2001

Licenses & Certifications



Appreciative Inquiry Certificate in Positive Business and Society Change - Case Western Reserve University Weatherhead School of Management



LEED-Green Associate - US Green Building Council



Envision Sustainability Professional - Institute for Sustainable Infrastructure



Greenhouse Gas Protocol Corporate Standard Training - World Resources Institute

Honors & Awards



40 Under 40 - Midwest Energy News

Sep 2016

The Energy News Network's 40 Under 40 awards program highlights emerging leaders and innovators from across the U.S. and their work in America's transition to a clean energy economy.

Skills

Community Outreach • Sustainability • Public Speaking • Program Development • Program Management • Employee Engagement • Strategy • Team Leadership • ESG Disclosure • Strategic Communications

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0178

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s appointment of Marielee Santiago to serve on the Cuyahoga County Division of Children and Family Services Advisory Board for an unexpired term ending 2/28/2023, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Section 205.10 establishes an “advisory committee on children services” of Cuyahoga County; and

WHEREAS, the Division of Children and Family Services (DCFS) Advisory Board shall provide independent perspective and feedback to the County and the Cuyahoga County Division of Children and Family Services (“DCFS”) leadership; and

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

WHEREAS, pursuant to the Ohio Revised Code Section 205.10, the Division of Children and Family Services (DCFS) Advisory Board shall consist of ten (10) appointed members; and

WHEREAS, members of the Division of Children and Family Services (DCFS) Advisory Board shall be appointed to serve a four-year term; and

WHEREAS, the County Executive has nominated Marielee Santiago (replacing Victor Ruiz) to serve on the Cuyahoga County Division of Children and Family Services (DCFS) Advisory Board for an unexpired term ending 2/28/2023.

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

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

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive’s appointment of Marielee Santiago to serve on the Cuyahoga County Division of Children and Family Services Advisory Board for an unexpired term ending 2/28/2023.

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

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

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

Yeas:

Nays:

County Council President _____
Date

Clerk of Council _____
Date

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

Journal _____
_____, 20__



September 4, 2020

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

Re: Division of Children and Family Services (DCFS) Advisory Board

Dear President Brady:

The Division of Children and Family Services (DCFS) Advisory Board was created in 2018 to further the cooperation and collaboration between the Division of Children and Family Services and other child care agencies in Cuyahoga County, and render advice to the Division on policy matters pertaining to the provisions of services to children and families. The DCFS Board shall also study the effectiveness and need for services to children and families in Cuyahoga County and encourage the gathering of information about the same population.

Pursuant to Ohio Revised Code 5153.05, Section 205.10 of the Cuyahoga County Code, I submit the following nomination for appointment to Division of Children and Family Services (DCFS) Advisory Board:

- **Marielee Santiago**, unexpired term ending 2/28/2023 (replacing Victor Ruiz)

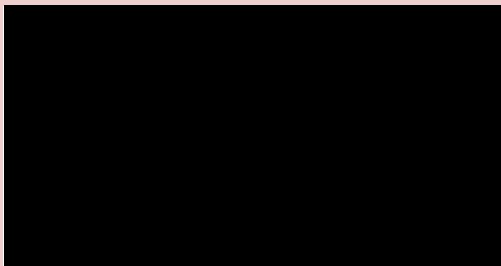
There are no known conflicts of interest for which an advisory opinion has been requested. This board is uncompensated. There is one other candidate on file that applied for this position.

Thank you for your consideration of this appointment. Should you or any of your colleagues have any questions, please feel free to contact Michele Pomerantz in my office at 216-443-7125.

Sincerely,

Armond Budish
Cuyahoga County Executive

MARIELEE SANTIAGO



PROFESSIONAL SUMMARY

Develop an organizational and community culture equipped with knowledge, resources and systems inspired and empowered to address Social Determinants of Health beyond the walls of the healthcare institution.

SKILLS

- Leadership
- Problem Solving
- Mentor
- Bilingual
- Trainer/Educator
- Full Professional Proficiency

EDUCATION

Baldwin Wallace University
Berea, OH • 05/2019

Master of Public Health:
Education

- Thesis: "Patient Acuity Tool in a HIV Clinic a Quality Improvement Report."
- Grant proposal project: Support Group for Youth living with HIV/AIDS. Program evaluator/interviewer for research on Cigarette use among 50+ HIV population.
- Participated in developing a research thesis on

WORK HISTORY

MetroHealth Institute For H.O.P.E. TM - Director, Transformative Knowledge & Education
Cleveland, Ohio • 04/2020 - Current

- Lead efforts to address social and economic barriers to good health within Clark-Fulton Neighborhood/Cuyahoga County.
- Develop partnerships to make sustainable impact for scholars, strivers & senior in low-income neighborhoods.
- Building educational & training programs with local partners within MetroHealth system Economic Opportunity Center.
- Construct short- and long-term planning to improve patient SDOH programs.

St. Vincent Charity Medical Center - PRN Social Worker
Cleveland, Ohio • 09/2015 - Current

- Conducted Level of Care and Mental Health Assessments to identify recommended treatment plan after detox, formulate strategies to address behavior and teach new behavioral skills.
- Organized clinical documentation, treatment plans, and referrals.
- Updated treatment plans on monthly basis with latest intervention strategies and progress notes.
- Coordinated individualized discharge plans to manage safe transition back into community and home

Biomarkers related to E-Cigarette use.

- Developed an asset map for Clark/Fulton Neighborhood surrounding The MetroHealth System.

Cleveland State University
Cleveland, OH • 05/2012

Master of Social Work:

Macro

- Internship: El Centro de Servicios Sociales Inc.
- Executive Director Assistant- Participated in community event projects: Fundraisers, Health fairs, Capital Campaign, Grant Writing, Community Organizing, Board meetings
- Professional development completed in leadership
- Received Graduate Assistant Scholarship
- Graduate Assistant for Research Social Work Professor Dr. Christopher Mallet
- Graduated with 4.0 GPA

Cleveland State University
Cleveland, OH • 05/2011

Bachelor of Social Work

- Graduated cum laude
- Dean's List Fall 2010, Spring 2011
- Member of Phi Alpha National Social Work Honor Society 2011

environments.

The MetroHealth System - Social Work Coordinator
Cleveland, Ohio • 09/2014 - 04/2020

- Successfully linked 15 previously chronic homeless individuals to housing through Ending Homelessness program initiative by Frontline services, EDEN Inc. and CMHA.
- Maintained community engagement with Latinx serving organizations to increase access to monolingual individuals.
- Responsible for several HIV Youth QI projects.
- Provided Medical Case Management services to people living with HIV/AIDS under Ryan White services grant.
- Facilitated a Spanish speaking support group for PLWHA.
- Provided crisis intervention services in the ED to victims of trauma.
- Updated treatment plans on monthly basis with latest intervention strategies and progress notes.
- Coordinated program referrals for community-based resources.

Nueva Luz Urban Resource Center - Lead Medical Case Manager/Program Coordinator/ETO Project Manager
Cleveland, Ohio • 04/2012 - 08/2014

- Cleveland Non-profit organization serving people living with HIV/AIDS Supervised team of 6 Social Workers and 2 Interns.
- Data project manager, program reporting, grant writing and evaluation planning.
- Provided Medical Case Management to PLWHA under Ryan White grant.
- Participated in many community organizing events hosted by non profit agency.
- Organized clinical documentation, treatment plans, and referrals.
- Documented case notes daily and coordinated follow-up for seamless case management.
- Preserved and prepared reports and treatment records.
- Led team in delivery of productivity project, resulting in team transition in efficient productivity tracking.
- Managed quality assurance program, including on-site evaluations, internal audits and client surveys.

AmTrust Financial - Bilingual Lead Customer Service Representative

Seven Hills, OH • 09/2006 - 09/2010

- Seven Hills Warranty, Workers Comp Policies Managed on average 30 escalations calls, supervised scheduling, provided customer service over 100 calls daily.
- Resolved conflicts and negotiated mutually beneficial agreements between parties.
- Devoted special emphasis to punctuality and worked to maintain outstanding attendance record, consistently arriving to work ready to start immediately.

ADDITIONAL INFORMATION

- Licensed Social Worker (2012 - Present) Licensed by the board of Counselor, Social Worker and Marriage & Family of Ohio
- 40/40 Club Latino Professionals (2012) Kaleidoscope Magazine

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0179

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s appointment of Monica Busam to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/15/2020 - 10/14/2023, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, pursuant to Ohio Revised Code Chapter 164.21, the former Cuyahoga County Board of Commissioners created a Cuyahoga County Natural Resources Assistance Council; and

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

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

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

WHEREAS, County Executive Budish has nominated Monica Busam (replacing Mike Foley) to be appointed to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/15/2020 – 10/14/2023; and

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

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

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive’s appointment of Monica Busam to serve on the Cuyahoga County Natural Resources Assistance Council for the term 10/15/2020 – 10/14/2023.

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

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

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

Yeas:

Nays:

_____ Date

_____ Date

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

Journal _____
_____, 20__



September 4, 2020

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

Re: Cuyahoga County Natural Resources Assistance Council (NRAC)

Dear President Brady:

I am pleased to nominate the following to serve on the Cuyahoga County Natural Resources Assistance Council (NRAC) as an appointment as a Government – Municipal Representative on the NRAC:

- Monica Busam, 3-year term, 10/15/2020 – 10/14/2023 (replacing Mike Foley)

The NRAC evaluates and selects open space and riparian corridor protection and/or preservation projects for funding from the Clean Ohio Green Space Conservation program. Cuyahoga County has (1) appointment to the NRAC.

Ms. Busam's resume is attached for you to review.

Thank you for your consideration of this appointment. Should you have any questions, please feel free to contact Michele Pomerantz in my office at 216-443-7125.

Sincerely,

Armond Budish
Cuyahoga County Executive

Monica Busam

Relevant Work Experience:

Sustainability Coordinator - Cuyahoga County

June 2019- Present

Job Duties:

- Manage and collect data for Cuyahoga County's Greenhouse Gas Emissions Inventory
- Submit the County's Greenhouse Gas Emissions Data and program updates to the Carbon Disclosure Project as required by the Global Covenant of Mayors
- Assist with implementation of our Department's many projects and programs
- Act as a Field Buyer for our Department to receive proper approval for Department contracts and spending.
- Attend meetings with internal and external stakeholders
- Perform miscellaneous administrative duties for the Department.

Projects I am involved with:

- Healthy Urban Tree Canopy Grant Program
- County's Bicycle and Scooter Programs
- Cuyahoga County Plastic Bag Ban public outreach campaign
- Downtown Cleveland Microgrid
- Municipal and Non-profit Solar Co-op
- Residential Solar Co-op
- Cuyahoga County Greenbank

Environmental Specialist II - Ohio Environmental Protection Agency

September 2017- June 2019

I was responsible for ensuring compliance of federal and state regulations on water systems in Geauga County.

Job Duties:

- Inspect public water systems
- Prepare written reports and notifications to the water systems
- View engineering schematics
- Provide technical assistance
- Perform water sampling
- Review water analysis reports
- Review revisions to state regulations and provide feedback
- Approve sites for new wells
- Address public complaints
- Implement a new statewide program to conduct inspections

Environmental Specialist II- Florida Department of Environmental Protection

March 2016 - September 2017

I made sure that facilities that hold permits through the state of Florida, stayed in compliance with The Department's rules and regulations.

Job Duties:

- Offering compliance assistance to utilities
- Handling enforcement when necessary
- Investigating complaints
- Writing reports
- Understanding federal and state regulations

Program areas and regulatory knowledge:

- Potable Water
- NPDES Stormwater (National Pollution Discharge Elimination System)
- Wastewater

Field Botany Technician - Cleveland Metroparks

Seasonal Position, May 2015- August 2015

I was part of the Plant Community and Assessment Program which was a 20 year vegetation survey throughout the Cleveland Metroparks

Job Duties:

- Determining the effects of invasive plant species, disease, and anthropogenic actions on vegetation
- Performing a variety of surveying techniques
- Identification of local and invasive plants

Education:

- Cleveland State University: Fall 2012 - Spring 2015
 - B.S. in Environmental Science with a focus in Biology
- Lakeland Community College: Fall 2010-Spring 2012
 - Completed 2 years of college while still attending high school

Formal Trainings and Certifications:

Florida Department of Environmental Protection:

- Stormwater Management Inspector through the Stormwater Erosion and Sedimentation Control Inspector Training Program
- 24-hour HAZWOPER Training
- Sanitary Survey School (potable water inspector training)

Lakeland Community College Certifications:

- Water Quality Index (National Sanitation Foundation - chemical analysis)
- Benthic Macroinvertebrate Index (Ohio EPA - biological analysis)
- Qualitative Habitat Evaluation Index (Ohio EPA - geological analysis)

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0180

Sponsored by: County Executive Budish	A Resolution confirming the County Executive’s appointment or reappointment of various individuals to serve on The MetroHealth System Board of Trustees for various terms, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, Ohio Revised Code Chapter 339 provides for the organization and operation of a county hospital; and

WHEREAS, Ohio Revised Code Section 339.02 provides for the creation of county hospital trustees and the means by which appointments are made; and

WHEREAS, Ohio Revised Code Section 339.02 further provides that such appointments to the board of trustees shall be for a six-year term; and

WHEREAS, pursuant to Ohio Revised Code 339.02(F)(1), the County Executive has sought and received approval from both the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service; and

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

WHEREAS, the County Executive has nominated the following individuals for appointment or reappointment to serve on The MetroHealth System Board of Trustees for various terms:

Appointment:

1. Brenda Kirk for the term 4/1/2020 - 3/31/2026

Reappointments:

1. Maureen Dee for an unexpired term ending 3/5/2024

2. Robert Hurwitz for an unexpired term ending 3/1/2026; and

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

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

SECTION 1. That the Cuyahoga County Council hereby confirms the County Executive's appointment or reappointment of various individuals to serve on The MetroHealth System Board of Trustees for various terms as follows:

Appointment:

1. Brenda Kirk for the term 4/1/2020 - 3/31/2026.

Reappointments:

1. Maureen Dee for an unexpired term ending 3/5/2024.
2. Robert Hurwitz for an unexpired term ending 3/1/2026.

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

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

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

Yeas:

Nays:

County Council President

Date

Clerk of Council

Date

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

Journal _____
_____, 20__



July 17, 2020
Judge Daniel Gaul
Cuyahoga County Common Pleas Court
1200 Ontario Street
Cleveland, OH 44113

Re: MetroHealth System Board of Trustees

Dear Judge Gaul,

Pursuant to Ohio Revised Code Chapter 339, I submit the following nomination for service on the MetroHealth System Board of Trustees:

- **Brenda Kirk**

Candidates for this board shall:

1. *"Members shall be electors and representative of the area served by the hospital, except that not more than two members may be electors of the area served by the hospital that is outside the county in which the hospital is located"*
2. *"...the board of county commissioners together with the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service shall appoint or reappoint for a term of six years a sufficient number of members to replace those members whose terms have expired"*

Ms. Kirk's resume is attached for your review and meets the qualifications to serve on this board.

Thank you for your consideration of this appointment. Should you have any questions, please feel free to contact Michele Pomerantz in my office at 216-443-7125.

Sincerely,

A handwritten signature in black ink, appearing to read "Armond Budish".

Armond Budish
County Executive

Approved:

A handwritten signature in blue ink, appearing to read "Daniel Gaul".

Judge Daniel Gaul



July 17, 2020
Judge Anthony Russo, Presiding Judge
Probate Court of Cuyahoga County
1 Lakeside Avenue
Cleveland, OH 44113

Re: MetroHealth System Board of Trustees

Dear Judge Russo,

Pursuant to Ohio Revised Code Chapter 339, I submit the following nomination for service on the MetroHealth System Board of Trustees:

- **Brenda Kirk**

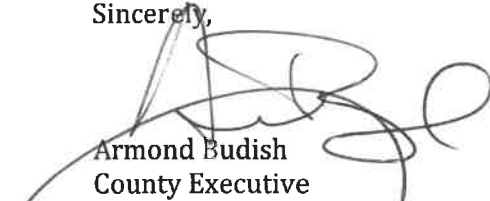
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Ms. Kirk's resume is attached for your review and meets the qualifications to serve on this board.

Thank you for your consideration of this appointment. Should you have any questions, please feel free to contact Michele Pomerantz in my office at 216-443-7125.

Sincerely,


Armond Budish
County Executive

Approved:


Judge Anthony Russo

BRENDA KIRK

Chief Product Officer | Chief Strategy Officer | Community Leader

Energetic and results oriented executive known for visionary leadership through collaboration, partnerships and team building. Called upon to set corporate profitable growth strategy, deliver innovative and leading-edge technology solutions, integrate acquisitions, expand market share and global presence. Responsible for attracting, developing and retaining tech talent. Highly effective communicator and leader who inspires others to exceed goals. Strong and recognized advocate for the growth of women in technology and leadership.

STRATEGY & GROWTH

- Technology Solutions
- Customer Retention and Expansion

- Mergers & Acquisitions
- Financial Management
- Product Development & Launch

LEADERSHIP & INNOVATION

- Talent Acquisition, Development & Retention
- Community Leadership

- Vendor & Channel Partnerships
- Process & Performance Improvement
- Organizational Transformation

KEYBANK, Cleveland, OH

2019 – Present

One of the nation's largest, bank-based financial services companies, with 137B in assets and more than 18,500 employees with 6.3B in revenue across 15 states.

Executive Vice President. Chief Information Officer, Commercial Bank & Enterprise Payments

Responsible for Technology Strategy and Operations supporting Key's Commercial Banking and Enterprise Payments business. Focused on providing industry leading customer experiences with technology and services.

HYLAND SOFTWARE, Westlake, OH

2000 to 2019

Global private equity owned enterprise software solutions company with 3500+ employees and 19,000 customers.

Executive Vice President. Chief Product & Strategy Officer | 2016 to 2019

Built and led a globally distributed Product & Strategy team of 1700+ with a multimillion dollar expense budget supporting doubling revenues and increased margin. Reported to CEO.

Developed, communicated and executed on an inspiring product vision for all stakeholders including employees, customers, partners and analysts. Vision included modernization of a 25-year-old flagship platform and the integration of 13 acquired companies. Built and led executive team with responsibility for executing strategy including Global Cloud Services (SaaS Platform), Technical Support, Product Management, Research and Development, Quality Assurance, DevOps, PMO, Agility Enablement, Customer Success, Corporate Strategy and Planning, while inspiring team members to be the very best versions of themselves. Committed to advancing company presence in community.

- Strengthened Hyland's status as a forward-thinking innovator, resulting in leadership rankings from analysts and expanded strategic partner status with the largest customers across all industries.
- Executive sponsor for high potential acquired customers, organic customers and vendor partners; leading teams to close the largest deals in company history.

- Advanced the adoption of new and existing portfolio products required to accelerate revenue streams and establish long term partnerships, essential to earning customer and partner confidence.
- Led integration of largest acquisitions, nearly doubling team size, adding 10+ product lines, and 5,000 customers while exceeding customer retention, profitability, and growth goals.
- Designed leading Content Services Platform (CSP) by integrating technologies and rationalizing portfolio.
- Instituted formal product management, speeding time to market and adoption for new offerings.
- Developed (patent pending) convergence strategy, a method of retaining and growing the recurring revenue stream from the existing customer base of 17,000 by combining existing and new technologies with practices that leverage modern tools and technologies.
- Retooled systems and processes to support modernization.
- Established a dedicated research function to evaluate, test and launch emerging technologies including Automated Intelligence, Augmented | Virtual Reality and blockchain.
- Reorganized R&D teams, established technical career paths, training including upskilling tenured workforce.
- Established vision for Customer Success organization, recruited executive leadership responsible for 97%+ renewal of revenue and overall customer experience.

Vice President of Strategy | 2011 to 2015

Drove growth strategy to support 70% revenue growth while retaining customers and employees. Created essential business functions including Customer Experience, Innovation, Licensing, Project Management Office, Solution Management, and Strategic Planning. Reported to CEO and led a team of 25+.

- Designed and executed rapid and profitable growth strategy expanding customers, geography, and industry segments through innovative partnerships and licensing strategies.
- Identified acquisition targets and had key leadership role in cross functional integration of 11 companies.
- Preserved quality of solutions and maintained high levels of customer satisfaction during rapid growth.
- Executive sponsor of women in tech and women's leadership groups.
- Contributed to recognition as Fortune 100 Best Company to work for & Fortune 100 Best Company for Women.

Vice President Sales, The Americas | 2006 to 2010 & Vice President Sales, US | 2004 to 2006

Directed sales in financial services, healthcare, insurance, government, high education, and manufacturing and managed staff of 300+. Reported to COO.

- Grew revenue 300+% from a small, local company to a globally recognized and respected software company, while consistently growing EBITDA and exceeding PE partner demands.
- Expanded distribution channels through partnerships with Resellers and OEM partners.
- Advanced direct sales strategy through and engaged sales process, disciplined use of technology, product innovation, territory mapping and measurement.
- Recruited, hired, trained and retained teams necessary to support rapid profitable growth.
- Developed teams to understand customer / industry requirements necessary to become trusted advisors.

Sales Director, Financial Services Industry | 2002 to 2004

Managed a financial services team of 10+ and drove creation of Global Services implementation team.

- Drove 400%+ revenue growth in Direct and Indirect channels.
- Established development partnerships with key industry leading customers.
- Created direct sales ecosystem including delivery, support, and operations.

Key Account Manager | 2000 to 2002

Recruited by Founder & CEO to establish direct sales channel for financial services industry. Drove rapid sales growth achieving 100%+ direct sales quota.

EQUITY RESIDENTIAL, Director of Corporate Housing, Cleveland, OH 1992 to 2000

COMMUNITY | EDUCATION

Cleveland State University | Leadership Cleveland 2010
Notable Women in Tech, Paving the Way (Crain's), 2018 | Crain's, Source Lunch Leader Profile, 2018
BlockLand Governance Team & co-chair Talent Node, 2018 to Present
Women of Distinction, Girl Scouts of America, 2019

BOARD OF DIRECTORS

Board of Directors, MetroHealth Foundation. 2008 to 2015 |
Chair, MetroHealth Foundation, 2016 to 2018 and Life Member, Present
Member of Advisory Board, Union Home Mortgage, Present |
Board of Directors, Destination Cleveland, Present | Board of Directors, Susan G. Komen Foundation



July 17, 2020
Judge Anthony Russo, Presiding Judge
Probate Court of Cuyahoga County
1 Lakeside Avenue
Cleveland, OH 44113

Re: MetroHealth System Board of Trustees

Dear Judge Russo,

Pursuant to Ohio Revised Code Chapter 339, I submit the following nomination for service on the MetroHealth System Board of Trustees:

- **Maureen Dee**

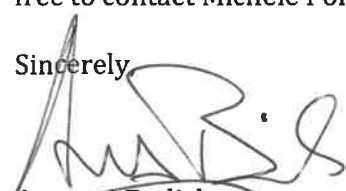
Candidates for this board shall:

1. *"Members shall be electors and representative of the area served by the hospital, except that not more than two members may be electors of the area served by the hospital that is outside the county in which the hospital is located"*
2. *"...the board of county commissioners together with the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service shall appoint or reappoint for a term of six years a sufficient number of members to replace those members whose terms have expired"*

Ms. Dee's resume is attached for your review and meets the qualifications to serve on this board.

Thank you for your consideration of this appointment. Should you have any questions, please feel free to contact Michele Pomerantz in my office at 216-443-7125.

Sincerely,


Armond Budish
County Executive

Approved:


Judge Anthony Russo



July 17, 2020
Judge Daniel Gaul
Cuyahoga County Common Pleas Court
1200 Ontario Street
Cleveland, OH 44113

Re: MetroHealth System Board of Trustees

Dear Judge Gaul,

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Thank you for your consideration of this appointment. Should you have any questions, please feel free to contact Michele Pomerantz in my office at 216-443-7125.

Sincerely,

A handwritten signature in blue ink, appearing to read "Armond Budish".

Armond Budish
County Executive

Approved:

A handwritten signature in blue ink, appearing to read "Daniel Gaul".

Judge Daniel Gaul

CURRICULUM VITAE

NAME: Maureen Dee, MBA, MSSA, LISW-S, LICDC-CS
HISPANIC ORIGIN: Uruguay, South America
NATIONALITY: U.S.A.

EDUCATIONAL BACKGROUND: MBA, Cleveland State University - August, 1985
MSSA, Case Western Reserve University,
School of Applied Social Sciences - May, 1978
BA, Ohio Wesleyan University - June, 1975
Postgraduate Courses and Workshops - Ongoing

PROFESSIONAL INTERESTS: Executive leadership and administration, program
planning and development; chemical dependency and
mental health treatment and prevention; minority
populations and minority health disparities; contribution
to welfare of Hispanic Community

MEMBERSHIP IN PROFESSIONAL ORGANIZATIONS: National Association of Social Workers
Beta Gamma Sigma (graduate business honor society)

LICENSES/CREDENTIALS: Academy of Certified Social Workers (ACSW)
Licensed Independent Social Worker Supervisor
(LISW-S) – Ohio
Licensed Independent Chemical Dependency
Counselor with Clinical Supervisor Endorsement
LICDC-CS) – Ohio

PROFESSIONAL EXPERIENCE:

Catholic Charities Corporation – Retired 7/1/2019

Executive Director, Treatment, Prevention and Recovery Programs (1/2010 – 7/2019)
Responsible for administration, operations and funding of mental health,
substance use and welfare-to-work services at 12 service sites in Cuyahoga
County; 4 adult residential treatment sites (Matt Talbot programs), intensive
outpatient, outpatient, prevention; 220 employees; \$ 16 million budget.

Catholic Charities Services

Assistant Executive Director (9/97 – 1/2010)

Responsible for operating youth and adult outpatient and residential chemical
dependency services and treatment subcontracting for Medicaid managed care;

12 sites, 120 staff. Special populations targeted: women and children, Hispanic, homeless men, juvenile justice youth, welfare-to-work and child abuse/neglect parents and children.

Catholic Social Services of Cuyahoga County

Director, Behavioral Health Services (5/96 – 9/97)

Co-director of comprehensive social service organization. Responsible for the clinical services, including outpatient mental health and chemical dependency, to various target populations. Managed the contracts/reimbursements from two Cuyahoga County Boards.

Catholic Social Services and Counseling of Cuyahoga County

Associate Executive Director of Children & Youth Services (7/93-5/96)

Administrative responsibility for Day Care and Early Childhood (1 to 5 y.o.), school for pregnant teens, adoption/foster care, birthparent counseling, child & youth outpatient mental health counseling, child & youth chemical dependency services (Program Director), Hispanic youth counseling, Big Brother/Big Sister Program. Strategic planning, Council on Accreditation, and State compliance functions.

Catholic Counseling Center

Program Director, Youth Chemical Dependency Services (7/82-6/93)

Developed, supervised and operated youth chemical dependency services including:

- 1) Leaders of Tomorrow (LOT) - day treatment for youth drug trafficking offenders involved with Cuyahoga County Juvenile Court probation (administration, supervision, fund-raising, and group education to youth/families). Began July 1, 1992.
- 2) Medicaid Adolescent Rehabilitation Program (MARP). Managed a State Prepaid Health Plan to provide adolescent assessments, treatment planning, and case management (administration, supervision, and funding). Began September 1988.
- 3) Youth Evaluation Services (YES). Adolescent assessments and treatment planning for Juvenile Court referred youth (administration, supervision, and funding). Began July 1982.
- 4) YSCD Aftercare, Adolescent Group for Youth “at risk” which evolved into intensive outpatient treatment. Began March 1993.

Catholic Counseling Center

Bilingual Social Worker II, Bilingual Program for Youth (1978–1982)

Provided outpatient mental health and substance abuse counseling to Hispanic youth and families

Cleveland Regional Perinatal Network (1977– 1978)

Research project interviewer for one-year health survey of infants, funded by John Hopkins Medical Institutions.

Catholic Guardian Society, New York, NY (1975-1976)

Caseworker, Hispanic children in foster care.

HISTORY OF BOARD AND COMMUNITY PARTICIPATION:

- ❖ MetroHealth System, Board of Trustees, member (10/2014 current); Former Chair of Patient Experience Committee; Current Chair of Diversity Committee
- ❖ Mental Health and Addiction Advocacy Coalition (MHAC), Steering Committee member (2015 – current)
- ❖ Hispanic Alliance, Inc., past President (7/08 – 6/10); Board Member (current)
- ❖ Scarborough House, Board member (1/2009 - current)
- ❖ Hispanic Roundtable, member (9/2009 – current)
- ❖ Council of Agency Directors, member (2013 – 2019)
- ❖ Leadership Fellow Mentor for master's students, Case Western Reserve University – Jack, Joseph and Morton Mandel School of Applied Social Sciences (2013 – current)
- ❖ Alcohol and Drug Treatment and Prevention Providers Directors Association, Secretary (2010 - 2013)
- ❖ Hispanic UMADAOP/Casa Alma and Casa Maria, Chair, Advisory Committee (1994 – 2008)
- ❖ Service Coordination Team of the Family and Children First Council of Cuyahoga County (1995 – 2016)
- ❖ Youth Intervention Center Committee of the Youth Services Coordinating Council of Cuyahoga County (2004 – 2006)
- ❖ System of Care Oversight Committee for Cuyahoga County (2004 – 2008)
- ❖ Ohio Department of Alcohol & Drug Addiction Services, Protocol Committee (9/98 –

6/2004)

- ❖ Juvenile Justice Policy and Review Committee, Federation for Community Planning (1995 – 2002)
- ❖ Ohio Department of Alcohol & Drug Addiction Services, Managed Care Initiative, Committee on Quality Assurance (1995 – 1998)
- ❖ Ohio Credentialing Board for Chemical Dependency Professionals, 1989 – 1996 (Chair, 95/96)
- ❖ Diocese of Cleveland Task Force Against Alcohol Drug Abuse, Chair, Primary Convener (1990 – 1993)
- ❖ Substance Abuse Initiative, Treatment Committee, Juvenile Justice Subcommittee (1991)
- ❖ Appointee to Governor Richard Celeste's Ohio Recovery Council (1984)

AWARDS/HONORS:

Recipient of the Woodruff Prize for individual achievement in mental health and chemical dependency work, 1991.

Featured as "Person of the Week" on 3WE News Radio 1100, sponsored by MJB Coffee throughout the first half of 1992.

Recipient of the annual Cultural Heritage Award for Hispanic Americans presented by the Urban Minority Alcohol and Other Drug Abuse Programs of Ohio (UMADAOP), 8/1992.

Recipient of the "Distinguished Women in Healthcare" award granted by the Visiting Nurses Association, June 2000.

Recipient of Catholic Charities Health and Human Services' Saint Elizabeth of Hungary Award, 2008.

Recipient of Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, Addiction Treatment Professional of the Year, 2012.

Recipient of the Miguel Prieto Award, from Hispanic Urban Minority Alcohol and Other Drug Abuse Program, 2012.

Recognition from Hispanic Alliance for outstanding work in the Latino community, 3/2016

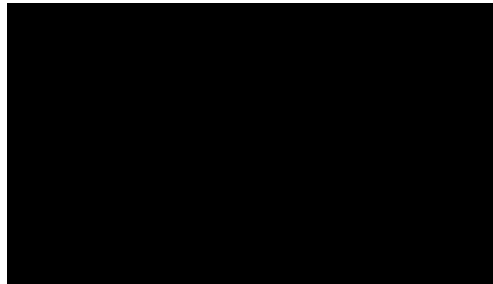
Inducted into the Centennial Hall of Fame – Jack, Joseph and Morton Mandel School of Applied Social Sciences, CWRU, 2017

Recipient of Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County Lifetime Achievement Award, April 2019.

Recipient of Diocesan Social Action Office's Bishop Clarence G. Isenmann Award for work in Hispanic Community, June 13, 2019.

CONTACT INFORMATION:

Maureen Dee, MSSA, MBA, LISW-S, LICDC-CS



7/17/2020



July 17, 2020
Judge Anthony Russo, Presiding Judge
Probate Court of Cuyahoga County
1 Lakeside Avenue
Cleveland, OH 44113

Re: MetroHealth System Board of Trustees

Dear Judge Russo,

Pursuant to Ohio Revised Code Chapter 339, I submit the following nomination for service on the MetroHealth System Board of Trustees:

- **Robert Bob Hurwitz**

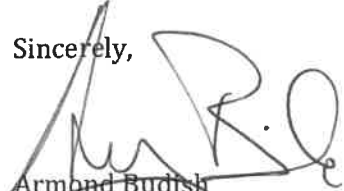
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2. *"...the board of county commissioners together with the probate judge of the county senior in point of service and the judge of the court of common pleas of the county senior in point of service shall appoint or reappoint for a term of six years a sufficient number of members to replace those members whose terms have expired"*

Mr. Hurwitz's resume is attached for your review and meets the qualifications to serve on this board.

Thank you for your consideration of this appointment. Should you have any questions, please feel free to contact Michele Pomerantz in my office at 216-443-7125.

Sincerely,


Armond Budish
County Executive


Approved:

Judge Anthony Russo



July 17, 2020
Judge Daniel Gaul
Cuyahoga County Common Pleas Court
1200 Ontario Street
Cleveland, OH 44113

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Sincerely,

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Armond Budish
County Executive

Approved:

A handwritten signature in blue ink, appearing to read "Daniel Gaul".

Judge Daniel Gaul

Robert Hurwitz

Appointed: 2017 (Term Ends: March 2020)

Employment: Hurwitz has spent nearly five decades as a Cleveland entrepreneur, founding and leading companies including OfficeMax, Inc., The Coral Company, HomePlace, Inc, Professional Housewares and Incentive Consultants.

Education: Bachelor's degree in international trade from Bernard Baruch School of Business at City College of New York.

Background: He has been involved in many community and non-profit boards in the areas of education, business, medicine and community building. Hurwitz is a member of the JumpStart Board of Directors, where he is active in its successful mentoring program.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0181

Sponsored by: County Executive Budish/Department of Public Works	A Resolution authorizing the transfer of real property located at Crocker Road and Schwartz Road, Permanent Parcel No. 216-10-012, to the City of Westlake; authorizing the County Executive to execute the quit claim deed 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 the transfer of real property located at Crocker Road and Schwartz Road, Permanent Parcel No. 216-10-012, to the City of Westlake; and

WHEREAS, the primary goal is to transfer Permanent Parcel No. 216-10-012 to the City of Westlake at no cost; and

WHEREAS, due to the shape and size of the easement, the property is non-buildable; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes the transfer of real property located at Crocker Road and Schwartz Road, Permanent Parcel No. 216-10-012, to the City of Westlake.

SECTION 2. That the County Executive is authorized to execute the quit claim deed 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__

The Department of Public Works, Transfer of Property to City of Westlake

A. Scope of Work Summary

1. The Department of Public Works is requesting approval of a transfer of property (PPN 216-10-012) to the City of Westlake.

The property totals 5,893 SF (0.135 acres) and is located at the intersection of Crocker Road and Schwartz Road in the City of Westlake, Ohio. Due to the shape and size of the easement, the property is a non-buildable.

Currently, the County is responsible for maintaining the property. The City of Westlake will take on maintenance responsibilities.

- a. The primary goal is approval of the property transfer of PPN 216-10-012 to the City of Westlake for \$0.
- b. located at the intersection of Crocker Road and Schwartz Road in the City of Westlake, Ohio
- c. Council District 1

B. Procurement

1. This is an exemption – This non-buildable parcel is being transferred to another government agency (The City of Westlake).

C. Contractor Information

1. City of Westlake
227700 Hilliard Boulevard
Westlake, Ohio 44145
Mayor: Dennis Clough



Cuyahoga County GIS Viewer



Date Created: 12/2/2019

Legend

- Municipalities
- Point Parcels
- Air Parcels
- Right Of Way
- Platted Centerlines
- Parcels

200 0 100 200 Feet

Projection:
WGS_1984_Web_Mercator_Auxiliary_Sphere

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION



County Council of Cuyahoga County, Ohio

Resolution No. R2020-0182

Sponsored by: County Executive Budish/Department of Public Works	A Resolution making an award on RQ48165 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$2,936,167.00 for the 2020 Sewer Rehabilitation Program in various County Sewer Districts for the period 10/1/2020 - 9/30/2022; 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.
---	--

WHEREAS, the County Executive/Department of Public Works has recommended an award on RQ48165 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$2,936,167.00 for the 2020 Sewer Rehabilitation Program in various County Sewer Districts for the period 10/1/2020 - 9/30/2022; and

WHEREAS, the primary goal of this project is to perform various repairs to sewer systems in various County Sewer Districts; and

WHEREAS, the project is 100% funded by Sewer District Funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ48165 to Fabrizi Recycling, Inc. in the amount not-to-exceed \$2,936,167.00 for the 2020 Sewer Rehabilitation Program in various County Sewer Districts for the period 10/1/2020 - 9/30/2022.

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

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

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

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

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

Yeas:

Nays:

County Council President	Date
County Executive	Date
Clerk of Council	Date

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

Journal _____
_____, 20____

Briefing Memo

Title:

Public Works-Sanitary; RQ# 48165, Fabrizi Recycling, INC; RFB 2020 Sewer Repair Program 2YR

A. Scope of Work Summary

1. The Department of Public Works Sanitary Division(s)) is requesting approval of a contract, with **Fabrizi Recycling, INC.** for the anticipated cost of **\$2,936,167.00**.

The Project is new to the County.

Services Being Provided:

Consist's of performing the various repair task orders to the sewer system including open cut of sanitary and/or storm sewer piping, manhole or catch basin replacement, lateral repair, pavement and site restoration work, maintaining the flow in the existing sewers and protecting the integrity of the existing sewers and any other work necessary to complete the work shown.

The anticipated start-completion dates are (Executed Contract Date for 2 Year Period).

2. The primary goals of the project are (list 2 to 3 goals).

"See Above"

3. The project is mandated by N/A

B. Procurement

1. The procurement method for this project was an RFB. The total value of the RFB is **\$2,936,167.00**.

2.The RFB was closed on 7/1/2020. There is a %7 SBE, %17 MBE, %6 WBE Goal.

3.There were #7 bids pulled from OPD, #2 bids submitted for review, #2 bids were approved.

C. Contractor and Project Information

1. The address(es) of all vendors and/or contractors is
Fabrizi Recycling, INC.
6751 Eastland Road, Middleburg Heights, OH 44130
Council District (5)

2. The President for the contractor/vendor is: **Maria Fearer**

3. The project is Countywide.

D. Project Status and Planning

1. The project occurs every two years.

E. Funding

1. The project is funded 100% by the Sewer District Fees

2. The schedule of payments is by invoice.



Office of Procurement and Diversity Tabulation Sheet

REQUISITION NUMBER: 48165 (1581)	TYPE: (RFB/RFP/RFQ): RFB	ESTIMATE: \$3,500,000.00
CONTRACT PERIOD:	RFB/RFP/RFQ DUE DATE: July 1, 2020	NUMBER OF RESPONSES (issued/submitted): 7/2
REQUESTING DEPARTMENT: Public Works	COMMODITY DESCRIPTION: 2020 Sewer Repair Program	
DIVERSITY GOAL/SBE 7 %	DIVERSITY GOAL/MBE 17 %	DIVERSITY GOAL/WBE 6 %
Does CCBB Apply: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	CCBB: Low Non-CCBB Bid\$:	Add 2%, Total is:
Does CCBEIP Apply: <input type="checkbox"/> Yes <input checked="" 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 checked="" 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:		Dept. Tech. Review	Award: (Y/N)
						SBE / MBE / WBE	SBE / MBE / WBE		
1. Fabrizi Recycling, Inc. 6751 Eastland Road Middleburg Heights, OH 44130	Bid Bond Cincinnati Insurance Company 100%	\$2,936,167.00	Compliant: <input checked="" type="checkbox"/> Yes IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-1263 NCA: <input checked="" type="checkbox"/> Yes PH: <input checked="" type="checkbox"/> Yes CCBB: <input checked="" type="checkbox"/> No CCBEIP: <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	CCBB <input checked="" 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)	(WF) Fabrizi Recycling, Inc.-SBE WBE 20% (AAM) Tech Ready Mix, Inc.-SBE MBE 10.97% <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> SBE <input type="checkbox"/> MBE <input checked="" type="checkbox"/> WBE <input type="checkbox"/> No	Department of Public Works is awarding to this vendor, because it was the lowest and best bid.	<input checked="" 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)								
				Experience: <input checked="" type="checkbox"/> Yes Bid Guaranty: <input checked="" type="checkbox"/> Yes Work types: <input checked="" type="checkbox"/> Yes Diversity Work types: <input checked="" type="checkbox"/> Yes DFSP: <input checked="" type="checkbox"/> Yes Bid Proposal: <input checked="" type="checkbox"/> Yes OPD Buyer Initials: TN			<table border="1"> <tr> <td data-bbox="833 722 972 804">Total %</td> <td data-bbox="972 722 1299 804">SBE: <u>20</u> % MBE: <u>10.97</u> % WBE: <u> </u> %</td> </tr> <tr> <td data-bbox="833 804 972 1052">SBE/MBE/WBE Comply: (Y/N)</td> <td data-bbox="972 804 1299 1052"> <input checked="" type="checkbox"/> Yes LL 7/2/20 <input type="checkbox"/> No </td> </tr> <tr> <td data-bbox="833 1052 972 1205">SBE/MBE/WBE Comments and Initials:</td> <td data-bbox="972 1052 1299 1205">No DIV- 3 waiver requested for WBE CF 7/2/20 RV~7/2/20 LL 7/2/20</td> </tr> <tr> <td colspan="2" style="background-color: #cccccc;"></td> </tr> </table>	Total %	SBE: <u>20</u> % MBE: <u>10.97</u> % WBE: <u> </u> %	SBE/MBE/WBE Comply: (Y/N)	<input checked="" type="checkbox"/> Yes LL 7/2/20 <input type="checkbox"/> No	SBE/MBE/WBE Comments and Initials:	No DIV- 3 waiver requested for WBE CF 7/2/20 RV~7/2/20 LL 7/2/20				
Total %	SBE: <u>20</u> % MBE: <u>10.97</u> % WBE: <u> </u> %																
SBE/MBE/WBE Comply: (Y/N)	<input checked="" type="checkbox"/> Yes LL 7/2/20 <input type="checkbox"/> No																
SBE/MBE/WBE Comments and Initials:	No DIV- 3 waiver requested for WBE CF 7/2/20 RV~7/2/20 LL 7/2/20																

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)										
2.	The Vallejo Company 4000 Brookpark Road Cleveland, OH 44134	Bid Bond The Cincinnati Insurance Company 1%	\$3,026,935.00	Compliant: <input checked="" type="checkbox"/> No Missing DFSP IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 19-0025 NCA: <input checked="" type="checkbox"/> Yes PH: <input checked="" type="checkbox"/> Yes CCBB: <input type="checkbox"/> Yes CCBEIP: <input checked="" type="checkbox"/> Yes Experience: <input checked="" type="checkbox"/> Yes Bid Guaranty: <input checked="" type="checkbox"/> Yes Work types: <input checked="" type="checkbox"/> Yes Diversity Work types: <input checked="" type="checkbox"/> Yes DFSP: <input checked="" type="checkbox"/> No Bid Proposal: <input checked="" type="checkbox"/> Yes OPD Buyer Initials: TN	<input type="checkbox"/> Yes <input type="checkbox"/> No	CCBB <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No CCBEIP <input type="checkbox"/> Yes <input type="checkbox"/> No	<table border="1"> <tr> <td data-bbox="834 722 971 877">Subcontractor Name(s):</td> <td data-bbox="971 722 1300 877">(WF) The Vallejo Co.-SBE WBE 20% (AAM) RAR Contracting Co., Inc.-SBE MBE 10%</td> </tr> <tr> <td data-bbox="834 877 971 989">SBE/MBE/WBE Prime: (Y/N)</td> <td data-bbox="971 877 1300 989"><input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> SBE <input type="checkbox"/> MBE <input checked="" type="checkbox"/> WBE <input type="checkbox"/> No</td> </tr> <tr> <td data-bbox="834 989 971 1066">Total %</td> <td data-bbox="971 989 1300 1066">SBE: <u>20</u> % MBE: <u>10</u> % WBE: <u> </u> %</td> </tr> <tr> <td data-bbox="834 1066 971 1209">SBE/MBE/WBE Comply: (Y/N)</td> <td data-bbox="971 1066 1300 1209"><input checked="" type="checkbox"/> Yes LL 7/2/20 <input type="checkbox"/> No</td> </tr> <tr> <td data-bbox="834 1209 971 1310">SBE/MBE/WBE Comments and Initials:</td> <td data-bbox="971 1209 1300 1310">DIV-3 Waiver requested for WBE CF 7/2/20 RV~7/2/20 LL 7/2/20</td> </tr> </table>	Subcontractor Name(s):	(WF) The Vallejo Co.-SBE WBE 20% (AAM) RAR Contracting Co., Inc.-SBE MBE 10%	SBE/MBE/WBE Prime: (Y/N)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> SBE <input type="checkbox"/> MBE <input checked="" type="checkbox"/> WBE <input type="checkbox"/> No	Total %	SBE: <u>20</u> % MBE: <u>10</u> % WBE: <u> </u> %	SBE/MBE/WBE Comply: (Y/N)	<input checked="" type="checkbox"/> Yes LL 7/2/20 <input type="checkbox"/> No	SBE/MBE/WBE Comments and Initials:	DIV-3 Waiver requested for WBE CF 7/2/20 RV~7/2/20 LL 7/2/20		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Subcontractor Name(s):	(WF) The Vallejo Co.-SBE WBE 20% (AAM) RAR Contracting Co., Inc.-SBE MBE 10%																		
SBE/MBE/WBE Prime: (Y/N)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> SBE <input type="checkbox"/> MBE <input checked="" type="checkbox"/> WBE <input type="checkbox"/> No																		
Total %	SBE: <u>20</u> % MBE: <u>10</u> % WBE: <u> </u> %																		
SBE/MBE/WBE Comply: (Y/N)	<input checked="" type="checkbox"/> Yes LL 7/2/20 <input type="checkbox"/> No																		
SBE/MBE/WBE Comments and Initials:	DIV-3 Waiver requested for WBE CF 7/2/20 RV~7/2/20 LL 7/2/20																		

Transaction ID:

CONTRACT EVALUATION FORM

Contractor	Fabrizi Recycling, Inc.				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1900181-01/CONV				
RQ#	CE-19-44770				
Time Period of Original Contract	6/1/2019-5/31/2021				
Background Statement	2019 SEWER PROGRAM FOR VARIOUS COUNTY SEWER DISTRICTS				
Service Description	2019 SEWER PROGRAM FOR VARIOUS COUNTY SEWER DISTRICTS. The contractor will be given task orders to complete as needed.				
Performance Indicators	Quality of work, meeting CPM schedule, Cooperation with Public				
Actual Performance versus performance indicators (include statistics):	Construction is progressing per plans and specifications. The contractor is working with local residents/businesses to ease the impact of construction.				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Completing tasks as outlined by the specification of the contract.				
Department Contact	Mary Ellen Butler				
User Department	Department of Public Works-Construction				
Date	4-21-2020				

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0183

Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer	A Resolution making awards on RQ45955 to various contractors, in the total amount not-to-exceed \$1,500,000.00, for on-call heavy construction services for road and bridge repairs and maintenance for the period 9/16/2020 - 9/15/2023; authorizing the County Executive to execute the Master Contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective.
---	--

WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended awards on RQ45955 to various contractors, in the total amount not-to-exceed \$1,500,000.00, for on-call heavy construction services for road and bridge repairs and maintenance for the period 9/16/2020 - 9/15/2023 as follows:

- (a) Catts Construction, Inc. in the approximate amount reasonably anticipated to be \$500,000.00;
- (b) Schirmer Construction Co., LLC in the approximate amount reasonably anticipated to be \$500,000.00; and
- (c) Terrace Construction Company, Inc. in the approximate amount reasonably anticipated to be \$500,000.00; and,

WHEREAS, the primary goal of the project is to utilize three contractors for on-call heavy construction services for road and bridge repairs and maintenance; and

WHEREAS, the project is funded 100% by the Road and Bridge Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes awards on RQ45955 to various contractors, in the total amount not-to-exceed \$1,500,000.00, for on-call heavy construction services for road and bridge repairs and maintenance for the period 9/16/2020 - 9/15/2023 as follows:

- (a) Catts Construction, Inc. in the approximate amount reasonably anticipated to be \$500,000.00.
- (b) Schirmer Construction Co., LLC in the approximate amount reasonably anticipated to be \$500,000.00.
- (c) Terrace Construction Company, Inc. in the approximate amount reasonably anticipated to be \$500,000.00.

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

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; 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, Submit & Award three contracts for On-Call Heavy Construction Services Master Contract for Road & Bridge repairs, Catts Construction, Inc., Terrace Construction Company, Inc. and Schirmer Construction, LLC RFP #45955, \$1,500,000 over 3 years

SUMMARY OF REQUESTED ACTION:

A. Scope of Work Summary:

1. Department of Public Works received approval to utilize alternative procurement methods with RFP #45955 for On-Call Heavy Construction Services (**BC2019-813**) for future Road and Bridge repairs and maintenance. The anticipated start-completion dates will be September 16, 2020 – September 15, 2023 for a period of three years for three contractors for a total of \$1,500,000.
2. The primary goal of this contract will be to utilize three contractors: Catts, Terrace and Schirmer Construction for On-Call heavy construction services for Road and Bridge maintenance and repairs. Projects will be on a task-order basis from \$5,000 - \$200,000 in estimated value. DPW would like to conduct a mini-bid process for each task with the contractors selected for this RFP and to then select the contractor with the lowest and best bid using standard ODOT/County bid items.

B. Procurement

- a. The procurement method for this project was RFP 45955. The total value of the RFP is not to exceed \$1,500,000.
- 2a. The RFP was closed on March 27, 2020.
- b. There were three proposals submitted and three contractors selected: Catts Construction, Inc., Terrace Construction Company and Schirmer Construction, LLC.
- c. There is a 30% Diversity goal with this Agreement. (7% SBE, 17% MBE and 6% WBE)

C. Contractor and Project Information

1. The address is:

Terrace Construction Co., Inc.	Schirmer Construction Co., LLC	Catts Construction, Inc
3965 Pearl Road	31350 Industrial Parkway	21223 Aurora Road
Cleveland, Ohio 44109	North Olmsted, Ohio 44070	Warrensville Hts, OH 44146
Council District 7	Council District 1	Council District 9
2. The Project Managers are Mark Adzema, Brett Iafigliola, Mike Dempsey
3. The location is the various roadway & bridge construction projects within Cuyahoga County.
4. The projects can be located in various Council districts.

D. Project Status & Planning

1. This project is new to the County
2. N/A

E. Funding

1. The project is funded by 100% County Road & Bridge fund. CE417477 (PW270205-73300)
2. The schedule of payments would be by monthly invoice. Original doc #45911933



Office of Procurement and Diversity Tabulation Sheet

REQUISITION NUMBER: 45955	TYPE: (RFB/RFP/RFQ): RFQ	ESTIMATE: \$1,500,000.00
CONTRACT PERIOD:	RFB/RFP/RFQ DUE DATE: March 27, 2020	NUMBER OF RESPONSES (issued/submitted): 12/3
REQUESTING DEPARTMENT: Public Works	COMMODITY DESCRIPTION: On Call Heavy Construction Services for Road and Bridge Maintenance and Repairs	
DIVERSITY GOAL/SBE: 7 %	DIVERSITY GOAL/MBE: 17%	DIVERSITY GOAL/WBE: 6%
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.	CATTS Construction, Inc. 21223 Aurora Road Warrensville, OH 44146			Compliant: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes 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	<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" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Subcontractor Name(s):</td> <td>(MW) Catts Construction-SBE 20% (FW) Cuyahoga Supply & Tool, Inc.-WBE (MAA) RAR Contracting Co. -MBE (FW) Crooked River Materials, Inc.-WBE</td> </tr> <tr> <td>SBE/MBE/WBE Prime: (Y/N)</td> <td><input checked="" type="checkbox"/>Yes <input checked="" type="checkbox"/>SBE <input type="checkbox"/>MBE <input type="checkbox"/>WBE <input type="checkbox"/>No</td> </tr> </table>	Subcontractor Name(s):	(MW) Catts Construction-SBE 20% (FW) Cuyahoga Supply & Tool, Inc.-WBE (MAA) RAR Contracting Co. -MBE (FW) Crooked River Materials, Inc.-WBE	SBE/MBE/WBE Prime: (Y/N)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> No		<input type="checkbox"/> Yes <input type="checkbox"/> No
Subcontractor Name(s):	(MW) Catts Construction-SBE 20% (FW) Cuyahoga Supply & Tool, Inc.-WBE (MAA) RAR Contracting Co. -MBE (FW) Crooked River Materials, Inc.-WBE												
SBE/MBE/WBE Prime: (Y/N)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE <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)
			COOP: <input checked="" type="checkbox"/> Yes OPD Buyer Initials: TN			Total %	SBE: <u>20</u> % MBE: <u>TBD</u> % WBE: <u>TBD</u> %		
						SBE/MBE/WBE Comply: (Y/N)	<input checked="" type="checkbox"/> Yes LML 3/31/20 <input type="checkbox"/> No		
						SBE/MBE/WBE Comments and Initials:	No DIV-3 waiver requested CF 3/30/20 EN 3/30/2020 LML 3/31/20		

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)
2. Schirmer Construction LLC 31350 Industrial Parkway North Olmsted, OH 44070			Compliant: <input checked="" type="checkbox"/> Yes IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-2476 NCA: <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):	(MW) Schirmer Construction, LLC- SBE 20% (FAA) Cook Paving & Construction Co., Inc.-SBE, MBE,WBE (FW) Ballast Construction, Inc. -SBE,WBE (FW) Pete and Pete Container Service, Inc.-SBE,WBE (FW) All Contractors, Supply, LLC-WBE (FW) Rockport Ready Mix-SBE,WBE		<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)
				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"/> Yes OPD Buyer Initials: TN				(MAA) TECH READY MIX, INC.-SBE,MBE		
							SBE/MBE/WBE Prime: (Y/N)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input type="checkbox"/> No		
							Total %	SBE: <u>20</u> % MBE: <u>TBD</u> % WBE: <u>TBD</u> %		
							SBE/MBE/WBE Comply: (Y/N)	<input checked="" type="checkbox"/> Yes LML 3/31/20 <input type="checkbox"/> No		
							SBE/MBE/WBE Comments and Initials:	No scope of work or percentage submitted for any of the Subcontractors. No DIV-3 waiver requested CF 3/30/20 EN 3/30/2020 LML 3/31/20		

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.	Terrace Construction 3965 Pearl Road Cleveland, OH 44109			Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-2690 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"/> Yes OPD Buyer Initials: TN	<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
							SBE/MBE/WBE Prime: (Y/N)	<input type="checkbox"/> Yes <input type="checkbox"/> SBE <input type="checkbox"/> MBE <input type="checkbox"/> WBE <input checked="" type="checkbox"/> No		
							Total %	SBE: <u>0</u> % MBE: <u>0</u> % WBE: <u>0</u> %		

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)
							SBE/MBE/WBE Comply: (Y/N)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No LML 3/31/20		
							SBE/MBE/WBE Comments and Initials:	No subcontractors selected. No DIV-3 waiver requested CF 3/30/20 EN 3/30/2020 LML 3/31/20		

Transaction ID:



Proposal Evaluation Form

Project Name On Call Heavy Construction
Project Type Construction
Submission Date March 27, 2020
Selection Meeting Date April 21, 2020
Facilitator Adrienne Simons

Committee Members:
Nichole English
Tom Sotak
Dave Marquard
Jim Hazimihalis
Michael Tworzydlo

RFQ 45955

EVALUATION CRITERIA	Max Points	Terrace Construction	CATTS Construction	Schirmer Construction										
Section A- Introduction														
Cover Letter w/requested information	Yes/No	YES	YES	YES										
Required RFP Proposal Documentation	Yes/No	YES	YES	YES										
Section 1- Vendor Qualifications	20	16	15	17										
Section 2- Company Experience	20	17	14	15										
Section 3- Staff Qualifications	25	22	21	21										
Section 4 - Project Methodology	30	23	26	24										
Geographic Location	5	5	5	5										
Misc.- Contract Term or Conflict of Interest	Yes/No	No	No	No										
TOTAL	100	83	81	82										

Ranking

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0184

Sponsored by: County Executive Budish/Department of Public Works and Fiscal Officer/Auto Title Division	A Resolution authorizing an amendment to Contract No. CE1500266-01 with HH Golden Gate, LLC for lease of office space in Golden Gate Shopping Center, located at 6420 Mayfield Road, Mayfield Heights, for the period 10/1/2015 - 9/30/2020 to exercise an option to extend the time period to 12/31/2025, to change the terms, effective 10/1/2020, and for additional funds in the amount not-to-exceed \$536,361.72; 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 and Fiscal Officer/Auto Title Division recommends an amendment to Contract No. CE1500266-01 with HH Golden Gate, LLC for lease of office space in Golden Gate Shopping Center, located at 6420 Mayfield Road, Mayfield Heights, for the period 10/1/2015 - 9/30/2020 to exercise an option to extend the time period to 12/31/2025, to change the terms, effective 10/1/2020, and for additional funds in the amount not-to-exceed \$536,361.72; and

WHEREAS, the Auto Title Division branch offices provide access to the public to obtain titles for cars and boats; and

WHEREAS, this project is 100% funded by Auto Title Division Funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1500266-01 with HH Golden Gate, LLC for lease of office space in Golden Gate Shopping Center, located at 6420 Mayfield Road, Mayfield Heights, for the period 10/1/2015 - 9/30/2020 to exercise an option to

extend the time period to 12/31/2025, to change the terms, effective 10/1/2020, and for additional funds in the amount not-to-exceed \$536,361.72.

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__

A. Scope of Work Summary

1. The Department of Public Works is submitting on behalf of the Fiscal Office, Auto Title Division plans to amend RQ#30261 Contract No. CE1500266 with **HH Golden Gate LLC**, for approximately 3,584 sq/ft of office space located at 6420 Mayfield Rd., Mayfield Hts., Ohio to revise and extend the original renewal term time period for sixty-three (63) months to December 31, 2025 for building rental and for additional dollars in the amount not-to-exceed \$536,361.72 effective October 1, 2020.

2. The primary goal of the project is to review/approve and obtain the County Executive’s signature on the 2020 Contract Amendment.

3. N/A 4. N/A

B. Procurement Method The procurement method for this project was RQ#30261 the County Executive Edward FitzGerald and Bonita Teeuwen, Director of Public Works, Dennis Kennedy, Fiscal Officer, Dave Schaeffer, Auto Title Division Manager, Jamal Husani, P.E. DPW Agency and John Myers CPB2014 dtd 2/24/2014 approval of requisition.

C. Contractor and Project Information

Owner:

Hornig Capital Partners
99 Seaview Blvd., Suite C
Port Washington, N.Y. 11050
(213) 784-2100

Contact:

Daniel Silvermintz
45 N. Station Plaza, Suite 401
Great Neck, NY 11021
(office) 212 784-2100 x. 703
(mobile) 845 642-1167
dsilvermintz@hornigcapital.com

Tenant:

Auto Title
Golden Gate Shopping Center
6420 Mayfield Road
Mayfield Heights, Ohio 44124

Architects:

FMD Architects
2841 Riveria Drive, Suite 200
Fairlawn, Ohio 44333
(330) 836-2343

Attorney:

Lawrence Merlin, Attorney
Merlin & Karter, LLC
100 Constitution Plaza, 7th floor
Hartford, CT 06103
(960) 247-6500

Cuyahoga County

Cuyahoga County Law Department

Lisa Averyhart , Attorney

2079 East Ninth Street

Cleveland, Ohio 44115

D. Project Status and Planning

1. The project is a contract Amendment for the period 10/1/2015 – 9/30/2020 extend to 12/31/2025 in the amount not-to-exceed \$536,361.72. This lease was in place for five (5) years, and this renewal option was for one (1) five (5) year period however since base rent started on 1/1/2016 the renewal period will be revised to end on 12/31/2025 effective 10/01/2020.

2. The project is on a critical action path to meet the needs of the Auto Title Division.

3. The project’s term begins on 10/1/2020 and ends on 12/31/2025

E. Funding

Initial Term of original contract: 10/01/2015 – 09/30/2020 in the amount not-to-exceed \$998,543,52

Lease Year 1 10/01/15 –0 9/30/16

Lease Year 2 10/01/16 – 09/30/17

Lease Year 3 10/01/17 – 09/30/18

Lease Year 4 10/01/18 – 09/30/19

Lease Year 5 10/01/19 – 09/30/20

Suffix 01, Funding: Auto Title Funds, Index Code FS10994, SubObject Code 0385 with a Renewal Term in the original contract starting on 10/01/2020 and ending on 09/30/2025

2020 Amendment R2020-tbd

Renewal Term revised in 2020 for sixty-three (63) months ending 12/31/2025 for a total of \$536,361.72

<i>Various Terms</i>	<i>Accounting Unit</i>	<i>Account</i>	<i>Activity</i>	<i>Amount</i>
10/01/2020-12/31/2020	FS100150	54400		\$24,535.32
10/01/2020-12/31/2020			NOEMERRESP001	\$12,600.00
01/01/2021-12/31/2021	FS100150	54400		\$98,681.28
01/01/2022-12/31/2022	FS100150	54400		\$99,221.28
01/01/2023-12/31/2023	FS100150	54400		\$99,821.28
01/01/2024-12/31/2024	FS100150	54400		\$100,421.28
01/01/2025-12/31/2025	FS100150	54400		\$101,081.28

Note: added Covid-19 “activity code” 2020 only as NOEMERRESP001 for \$12,600.00 total and Common Area Maintenance (CAM)for \$64,275.00 and base rent fee remaining the same for sixty-three (63) months at \$24.42 per sq/ft for a total of \$459,486.72. The total amount of the contract amendment not-to-exceed \$536,361.72

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

N/A

G. History

CPB2014-122 dtd 02/24/2014

RMS Investment Corporation

EFitzgerald

RQ#30261 passed (Novus by Traffic Engineer) RMS Investment Corporation

Bonita Teeuwen, Director, Department of Public Works

Dennis Kennedy, signed Justification

Dave Schaeffer, Auto Title Division Manager

Jamal Husani, P.E., DPW Agency Dept. Head

John Myers, DPW submitted

R2015-0165 dtd 09/08/2015

ABudish

HH Golden Gate LLC

CE1500266 RQ#30261

Term: 10/01/2015 – 09/30/2020 \$998,543.52

Base rent started 01/01/2016 (per CPapa Auto Title Fiscal)

First and second option to renew: five years each

Christina Papa, Auto Title Division Manger

John Myers, DPW Property Administrator

Nancy Farina, DPW submitted

R2020-tbd dtd tbd

ABudish

HH Golden Gate LLC

PWD-1917 Lisa Averyhart matrix dtd 01/15/20

CE1500266 CONV and RQ#30261

Term: 10/01/2015 – 09/30/2020 revising to extend to 12/31/2025 in the amount not-to-exceed \$536,361.72

Christina Papa, Auto Title Division Manger

John Myers, DPW Property Administrator

Nancy Farina, DPW submitted OnBase doc#46771446 ERP – NON-ERP Request Form

Created by Nancy Farina 6/11/2020

the end.

Notes:

01/15/20 NDF PWD1917 assigned to LAveryhart

06/03/20 1st Draft LAveryhart (2 pages)

06/10/20 NDF emailed OPD docs to Daniel Silvermintz

06/16/20 CPapa fees? JCM response Covid \$12K paid 2020 and rent same.

2020 Proposed Amendment

2020 Contract Amendment 10/1/2015 – 9/30/2020 with base rent starting date on/around 1/1/2016 to extend to December 31, 2025 effective October 1, 2020 in the amount not-to-exceed \$ TBD ctober 1, 2020 – December 31, 2020 (I assume at the rate of \$25.76 per sq/ft. as the original contract fee had reflected which will remain the same in year 2021 to 2025) January 1, 2021 – December 31, 2025 (for five years at \$25.76 per sq/ft.) One time “option to renew” for three years: January 1, 2026 – December 31, 2028 (for three years at \$26.54 per sq/ft.)

Renewal Term

PROPOSAL BY ALLERGO 10/1/20 ENDING 12/31/25

Lease Year 6	10/01/20 – 09/30/21	GAP YEAR	10/01/20 – 12/31/20 @ \$25.76
Lease Year 7	10/01/21 – 09/30/22	2020 Renewal	01/01/21 – 12/31/21 @ \$25.76
Lease Year 8	10/01/22 – 09/30/23		01/01/22 – 12/31/22
Lease Year 9	10/01/23 – 09/30/24		01/01/23 – 12/31/23
Lease Year 10	10/01/24 – 09/30/25 or 12/31/2025		01/01/24 – 12/31/24
			01/01/25 – 12/31/25
		One option 3 yrs	01/01/26 – 12/31/26 @ FMV
			01/01/27 – 12/31/27
			01/01/28 – 12/31/28

PLUS COVID-19 CLEANING

PLUS LANDLORD IMPROEMENTS – PD BY LL

- 1) Kitchen Faucet replaced
- 2) numerous roof leaks
- 3) replace walk-off carpet in entry vestibule
- 4) Window Film for sun block in all front windows
- 5) Hand dryer in Women's room replaced as well as replace splash guard
- 6) Water fountain filter replaced and create a schedule for routine replacement(s)
- 7) Back door expansion/heat up creates difficulty in closing in summer
- 8) second/inner front door needs minor adjustments
- 9) Touch up paint of entry vestibule
- 10) Touch up paint on western kitchen wall

6/26/20 JCM sent final draft to Daniel Siverlmintz to review/sign

6/29/20 NDF sent JCM and NEnglish Justification for Dever to sign

CONTRACT HISTORY/EVALUATION FORM

Contractor	HH Golden Gate, LLC				
Contract/Agreement No.	CE1500266 CONV				
RQ#	RQ#30261				
Time Period of Original Contract	10/1/2015 - 9/30/2020 with base rent starting 1/1/2016 effective 10/1/2020 - 9/30/2020 extend to 12/31/2025				
Background Statement	10/1/2015 - 9/30/2020 with base rent starting on 1/1/2016 to revise renewel end date to 12/30/2025 effective 10/1/2020 in the amount not-to-exceed \$536,361.72				
Service Description	CPB2014-122 RQ#30261 dtd. 2/24/2014 Contracts and Purchasing Board Approval Edward FitzGerald, Co. Executive				
	Original Amount	Amendment Amount	Amended End Date	Approval Date	Approval #
Original Contract/Agreement Amount	\$998,543.52			8/25/2015	R2015-0165
Prior Amendment Amounts (List separately)					
Pending Amendment		\$536,361.72	12/31/2025	TBD	R2020-TBD
Total Amendment(s)		\$536,361.72			
Total Contract Amount	\$1,534,905.24				
Performance Indicators	N/A				
Actual performance versus performance indicators (include statistics):	N/A				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor

Select One (X)		x			
Justification of Rating	N/A				
Dept. Contact	Nancy Farina for John Myers				
User Dept.	Department of Public Works Cuyahoga County				
Date	5/13/2020 Nancy Farina for Cpapa Auto Title				

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0185

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of one or more series of bonds in a maximum aggregate principal amount of \$16,275,000.00, to refund at a lower interest cost all or a portion of the \$15,770,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012A and series 2012B, that are stated to mature on December 1 in each of the years from 2021 through 2024, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012, dated as of December 13, 2012, to provide funds to pay for acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for County offices and functions, and acquiring, improving and equipping sites for such buildings, facilities and structures, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. 043069, adopted on August 17, 2004, the County issued its \$59,410,000 of bonds, as part of a consolidated issue of \$84,490,000 Capital Improvement Bonds, Series 2004 (the "Original Bonds"), for the purpose stated in Section 2, which Original Bonds were refunded in part with the proceeds of (a) the County's \$35,757,000 of bonds (the "Series 2012A Tax-Exempt Bonds") issued pursuant to Resolution No. R2012-0206, adopted by the County Council on October 23, 2012, as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A and (b) the County's \$9,835,000 of Taxable Capital Improvement Refunding Bonds, Series 2012B (the "Series 2012B Taxable Bonds" and together with the Series 2012A Tax-Exempt Bonds, the "Series A Bonds") issued pursuant to Resolution No. R2012-0206, adopted by the County Council on October 23, 2012; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$15,757,000 of the Series A Bonds now outstanding that are stated to mature on December 1 in each of the

years 2021 through 2024 (those Series A Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2024, which is the final maturity date for the Series A Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

“Fiscal Officer” means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

“Law Director” means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 through and including 2024.

“Prosecuting Attorney” means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$15,757,000 of the Series A Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2024 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2, and may include all of those Original Bonds.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series A Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series A Bond Legislation" means, collectively, Resolution No. R2012-0206 adopted by the Council on October 23, 2012, and the related certificates of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series 2012A Tax-Exempt Bonds and the Series 2012B Taxable Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012, dated as of December 13, 2012.

"Series 2012A Tax-Exempt Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series 2012B Taxable Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Taxable Bonds" means those Bonds designated as such in the Certificate of Award, which Bonds are to be issued and sold as obligations the interest on which is not excluded from gross income for federal income tax purposes.

"Tax-Exempt Bonds" means those Bonds designated as such in the Certificate of Award, which Bonds are to be issued and sold as obligations to which Section 103 of the Code applies, the interest on which is excluded from gross income for federal income tax purposes.

"Tax Status" means the status of the Bonds as Taxable Bonds or Tax-Exempt Bonds.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$16,275,000 (the "Bonds") to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the costs of acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for County offices and functions, and acquiring, improving and equipping sites for such buildings, facilities and structures, in each case together with all necessary appurtenances and work

incidental thereto, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series A Bonds to be refunded (referred to above as the "Refunded Bonds"), which may include all or a portion of the outstanding Series A Bonds stated to mature on December 1 in each of the years from 2021 through 2024. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear, whether the Bonds or a separate series thereof shall be issued as Tax-Exempt Bonds or Taxable Bonds and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series A Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one or more series and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$4,040,000
2022	4,060,000
2023	4,080,000
2024	4,095,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued in one or more series, (ii) the aggregate principal amount of Bonds to be issued in each series as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued in each series as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book

entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then

current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate of a series are to be redeemed, the selection of Bonds of that series, maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for

redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the

purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the

Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities

depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that the Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to

each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series D Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the teams of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from

other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines

to fund or refund other outstanding unvoted general obligation bonds (collectively, the “Other Refunded Obligations”) contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of any Bonds that are issued as Tax-Exempt Bonds in such manner and to such extent as may be necessary so that (a) such Tax-Exempt Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the

interest on such Tax-Exempt Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Tax-Exempt Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Tax-Exempt Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Tax-Exempt Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Tax-Exempt Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Tax-Exempt Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Tax-Exempt Bonds and interest thereon.

Each covenant made in this Section with respect to the Tax-Exempt Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Tax-Exempt Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Tax-Exempt Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Tax-Exempt Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and

a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meeting. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open

to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. This Resolution shall be in full force and effect immediately upon the signature of the County Executive, provided this Resolution receives the affirmative vote of eight members elected to Council. It is hereby determined to be necessary that this Resolution become immediately effective in order that the refunding of the Refunded Bonds may proceed in a timely manner to enable the County to take advantage of current favorable market interest rates.

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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0186

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$2,435,000.00, to refund at a lower interest cost all or a portion of the \$2,348,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the county's portion of the cost of acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and acquiring and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. 043070, adopted on August 17, 2004, the County issued its \$16,205,000 of bonds, as part of a consolidated issue of \$84,490,000 Capital Improvement Bonds, Series 2004 (the "Original Bonds"), dated as of September 15, 2004, for the purposes described in Section 2, which Original Bonds were refunded in part with the proceeds of the County's \$8,218,000 of bonds (the "Series B Bonds") issued pursuant to Resolution No. R2012-0207, adopted by the County Council on October 23, 2012, as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A ; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$2,348,000 of the Series B Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 (those Series B Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest

optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2022, which is the final maturity date for the Series B Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than

December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

“Law Director” means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2022.

“Prosecuting Attorney” means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$2,348,000 of the Series B Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2, and may include all of those Original Bonds.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series B Bonds” shall have the meaning set forth in the preamble to this Resolution.

"Series B Bond Legislation" means, collectively, Resolution No. R2012-0207, adopted by the Council on October 23, 2012, and the related certificate of award dated November

29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series B Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$2,435,000 (the "Bonds") to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the costs of acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and acquiring and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series B Bonds to be refunded (the Refunded Bonds), which may include all or a portion of the outstanding Series B Bonds stated to mature on December 1 in each of the years from 2021 and 2022. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series B Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$1,215,000
2022	1,220,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer’s determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer’s determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds.

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term

Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of

principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held

by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated

corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) **Transfer and Exchange.** Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign, and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) **Book Entry System.** Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a

single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and

other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal

advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) **Application for Ratings or Bond Insurance.** If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series B Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps

required by the teams of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied

and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion

in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refunding), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized,

on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meeting. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. It is necessary that this Resolution become immediately effective for the preservation of public peace, health, or safety in the County and any additional reasons set forth in the preamble, including to achieve a favorable interest rate for the Bonds based on current municipal bond market conditions. 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.

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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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0187

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$470,000.00, to refund at a lower interest cost all or a portion of the \$450,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012 (Orange Place Extension Project), that are stated to mature on December 1 in each of the years from 2021 through 2024, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the county's portion of the cost of improving Orange Place, in cooperation with the Municipality of Orange Village, by grading, draining, curbing, paving and constructing sidewalks, storm and sanitary sewers and water lines, in each case together with the necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County and the Municipality of Orange Village (the "Village") entered into an Agreement dated February 23, 1999, as amended (the "Cooperative Agreement"), pursuant to which the County agreed to cooperate in providing certain public improvements in a developing area of the Village (the "Improvements") and to construct certain of the Improvements on behalf of the Village; and

WHEREAS, pursuant to Resolution No. 001111, adopted on March 14, 2000, the County issued its \$1,820,000 Capital Improvement Notes, Series 2000 (Orange Place Extension Project), dated April 19, 2000, in anticipation of bonds for the purpose stated in Section 2, which notes were retired at maturity with the proceeds of the County's \$1,820,000 Capital Improvement Notes, Series 2001 (Orange Place Extension Project), dated April 19, 2001, issued pursuant to Resolution No. 0110142, adopted on March 27, 2001, which notes were retired at maturity with the proceeds of the County's \$2,440,000 Capital Improvement Notes, Series 2001 (Orange Place Extension Project) issued pursuant to Resolution No. 013568, adopted on September 19, 2001, as a part of a consolidated issue of \$2,700,000 Various Purpose Notes, Series 2001, dated October 2, 2001, which notes were retired at maturity with the proceeds of the County's \$2,440,000

Capital Improvement Notes, Series 2002 (Orange Place Extension Project) issued pursuant to Resolution No. 023060, adopted on July 30, 2002, as a part of a consolidated issue of \$3,595,000 Capital Improvement Notes, Series 2002, dated September 17, 2002, which notes were retired at maturity with the proceeds of the County's \$2,440,000 Capital Improvement Notes, Series 2003 (Orange Place Extension Project), issued in anticipation of bonds pursuant to Resolution No. 033369, adopted on August 19, 2003, as a part of a consolidated issue of \$8,550,000 Capital Improvement Notes, Series 2003, dated September 17, 2003, which notes were retired at maturity with the proceeds of \$1,711,000 of bonds issued pursuant to Resolution No. 043065, adopted by the County's Board of County Commissioners on August 17, 2004 (the 'Original Bonds'), as a part of a consolidated issue of \$84,490,000 Capital Improvement Bonds, Series 2004, dated as of September 15, 2004, which bonds were refunded in part with the proceeds of the County's \$1,001,000 of bonds (the "Series C Bonds") issued pursuant to Resolution No. R2012-0208, adopted by the County Council on October 23, 2012, as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$450,000 of the Series C Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2024 (those Series C Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Original Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2024, which is the final maturity date for the Series C Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and

the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

"Law Director" means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2024.

"Prosecuting Attorney" means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council

Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$450,000 of the Series C Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2024 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2, and may include all of those Original Bonds.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series C Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series C Bond Legislation" means, collectively, Resolution No. R2012-0208, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series C Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$470,000 (the "Bonds") to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the

County's portion of the cost of improving Orange Place, in cooperation with the Village, by grading, draining, curbing, paving and constructing sidewalks, storm and sanitary sewers and water lines, in each case together with the necessary appurtenances and work incidental thereto, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series C Bonds to be refunded (the Refunded Bonds), which may include all or a portion of the outstanding Series C Bonds stated to mature on December 1 in each of the years from 2021 through 2024. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series C Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$115,000
2022	115,000
2023	120,000
2024	120,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment

Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding

mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by

first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) **Payment of Redeemed Bonds.** In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the

purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the

Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities

depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to

each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series C Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the teams of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from

other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or

refund other outstanding unvoted general obligation bonds (collectively, the “Other Refunded Obligations”) contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section

103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and

a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open

to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. This Resolution shall be in full force and effect immediately upon the signature of the County Executive, provided this Resolution receives the affirmative vote of eight members elected to Council. It is hereby determined to be necessary that this Resolution become immediately effective in order that the refunding of the Refunded Bonds may proceed in a timely manner to enable the County to take advantage of current favorable market interest rates.

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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0188

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$135,000.00, to refund at a lower interest cost all or a portion of the \$115,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years 2021 and 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the property owners' portion of the cost of constructing County Improvement No. 1460, Phase I, being water lines in five roads in County Sewer District No. 14 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. 002409, adopted on June 13, 2000, the County issued \$1,061,000 of notes, in anticipation of bonds for the Improvement, as a part of its consolidated issue of \$5,560,000 Olmsted Township General Obligation Bond Anticipation Notes, Series 2000, dated July 28, 2000, which notes were retired at maturity with the proceeds of \$1,111,000 of notes, issued in anticipation of bonds pursuant to Resolution No. 0121147, adopted on June 19, 2001, as a part of the County's consolidated issue of \$5,845,000 Olmsted Township General Obligation Bond Anticipation Notes, Series 2001, dated July 26, 2001, which notes were retired at maturity with the proceeds of \$1,148,000 of notes, issued in anticipation of bonds pursuant to Resolution No. 022454, adopted on June 18, 2002, as a part of the County's consolidated issue of \$6,040,000 Olmsted Township General Obligation Bond Anticipation Notes, Series 2002, dated July 25, 2002, which notes were retired at maturity with funds available to the County and the proceeds of \$971,100 of notes, issued in anticipation of bonds pursuant to Resolution No. 023640, adopted on September 3, 2002, as a part of the County's consolidated issue of \$3,595,000 Capital Improvement Notes, Series 2002, dated September 17, 2002, which notes were retired at maturity with funds available to the County and the proceeds of \$860,000 of notes, issued in anticipation of bonds pursuant to Resolution No. 033372, adopted on August 19, 2003, as a part of the County's consolidated issue of \$8,550,000 Capital Improvement Notes, Series 2003, dated September 17, 2003, which notes were retired at maturity with the

proceeds of \$793,700 of bonds issued pursuant to Resolution No. 043066, adopted by the County's Board of County Commissioners on August 17, 2004, and the related certificate of award dated September 2, 2004, signed by the President of that Board, as a part of a consolidated issue of \$84,490,000 Capital Improvement Bonds, Series 2004 (the "Original Bonds"), dated as of September 15, 2004, which bonds were refunded in part with the proceeds of the County's \$1,001,000 of bonds (the "Series D Bonds") issued pursuant to Resolution No. R2012-0209, adopted by the County Council on October 23, 2012, as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A ; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$115,000 of the Series D Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 (those Series D Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2022, which is the final maturity date for the Series D Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent

and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed

by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

"Law Director" means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2022.

"Prosecuting Attorney" means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$115,000 of the Series D Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2024 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2, and may include all of those Original Bonds.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series D Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series D Bond Legislation" means, collectively, Resolution No. R2012-0209, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series D Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$135,000 (the "Bonds") to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the property owners' portion of the cost of constructing County Improvement No. 1460, Phase I, being water lines in five roads in County Sewer District No. 14 in Olmsted Township, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series D Bonds to be refunded (the Refunded Bonds), which may include all or a

portion of the outstanding Series D Bonds stated to mature on December 1 in each of the years 2021 and 2022. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series D Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$65,000
2022	70,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award,

consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with his determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof

against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price

thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of

the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmaturing principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make

a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and

completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original

Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series D Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the teams of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any

accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds

on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the

proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. It is necessary that this Resolution become immediately effective for the preservation of public peace, health, or safety in the County and any additional reasons set forth in the preamble, including to achieve a favorable interest rate for the Bonds based on current municipal bond market conditions. 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.

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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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0189

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$55,000.00, to refund at a lower interest cost all or a portion of the \$35,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2024, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the property owners' portion of the cost of constructing County Improvement No. 1460, Phase II, a 12-inch waterline and appurtenances in Sharp Road from Sprague Road to Schady Road, in County Sewer District No. 14 in Olmsted Township; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. 043068, adopted by the County's Board of County Commissioners on August 17, 2004, and the related certificate of award dated September 2, 2004, signed by the President of that Board, the County issued \$137,600 of bonds to provide funds, in anticipation of the collection of special assessments theretofore levied, to pay the property owners' portion of the cost of constructing the Improvement, as a part of a consolidated issue of \$84,490,000 Capital Improvement Bonds, Series 2004 (the "Original Bonds"), dated as of September 15, 2004, which bonds were refunded in part with the proceeds of the County's \$85,000 of bonds (the "Series E Bonds") issued pursuant to Resolution No. R2012-0210, adopted by the County Council on October 23, 2012, as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$35,000 of the Series E Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2024 (those Series E Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest

optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2024, which is the final maturity date for the Series E Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than

December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

“Law Director” means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2022.

“Prosecuting Attorney” means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$35,000 of the Series E Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2024 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2, and may include all of those Original Bonds.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series E Bonds” shall have the meaning set forth in the preamble to this Resolution.

"Series E Bond Legislation" means, collectively, Resolution No. R2012-0210, adopted by the Council on October 23, 2012, and the related certificate of award dated November

29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series E Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$55,000 (the "Bonds") to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the property owners' portion of the cost of constructing County Improvement No. 1460, Phase II, a 12-inch waterline and appurtenances in Sharp Road from Sprague Road to Schady Road, in County Sewer District No. 14 in Olmsted Township, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series E Bonds to be refunded (the Refunded Bonds), which may include all or a portion of the outstanding Series E Bonds stated to mature on December 1 in each of the years from 2021 through 2024. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series E Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$15,000
2022	15,000
2023	15,000
2024	10,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or

Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds..

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds.

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when

Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or

that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Clerk of this Board. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that

it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price.

The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the County and the Original Purchasers, in substantially the form as is now on file with the Clerk of Council, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series E Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will

cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the teams of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied

and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion

in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Clerk of Council is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized,

on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. It is necessary that this Resolution become immediately effective for the preservation of public peace, health, or safety in the County and any additional reasons set forth in the preamble, including to achieve a favorable interest rate for the Bonds based on current municipal bond market conditions. 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.

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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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0190

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$40,000.00, to refund at a lower interest cost all or a portion of the \$22,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the property owners' portion of the cost of constructing County Water Improvement No. 2300 in County Sewer District No. 23 in Chagrin Falls Township; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. 002213, adopted on May 30, 2000, the County issued its \$260,000 Sewer District Improvement Notes, Series 2000 (County Sewer District No. 23, County Water Improvement No. 2300), dated July 13, 2000, in anticipation of bonds for the Improvement, which notes were retired at maturity with the proceeds of the County's \$260,000 Sewer District Improvement Notes, Series 2001 (County Sewer District No. 23, County Water Improvement No. 2300), dated July 10, 2001, issued in anticipation of bonds pursuant to Resolution No. 0121148, adopted on June 19, 2001, which notes were retired at maturity with the proceeds of the County's \$260,000 Sewer District Improvement Notes, Series 2001 (County Sewer District No. 23, County Water Improvement No. 2300) (the Outstanding Notes), issued in anticipation of bonds pursuant to Resolution No. 013567, adopted on September 19, 2001, as a part of a consolidated issue of \$2,700,000 Various Purpose Notes, Series 2001, dated October 2, 2001, which notes were retired at maturity with the proceeds of the County's \$237,900 Sewer District Improvement Notes, Series 2002 (County Sewer District No. 23, County Water Improvement No. 2300), issued in anticipation of bonds pursuant to Resolution No. 023641, adopted on September 3, 2002, as a part of a consolidated issue of \$3,595,000 Capital Improvement Notes, Series 2002, dated September 17, 2002, which notes were retired at maturity with the proceeds of the County's \$222,000 Sewer District Improvement Notes, Series 2003 (County Sewer District No. 23, County Water Improvement No. 2300), issued in anticipation of bonds pursuant to Resolution No. 033373, adopted on August 19, 2003, as a part of a consolidated issue of \$8,550,000

Capital Improvement Notes, Series 2003, dated September 17, 2003, which notes were retired at maturity with the proceeds of \$204,700 of bonds issued pursuant to Resolution No. 043067, adopted by the County's Board of County Commissioners on August 17, 2004, and the related certificate of award dated September 2, 2004, signed by the President of that Board, as a part of a consolidated issue of \$84,490,000 Capital Improvement Bonds, Series 2004 (the "Original Bonds"), dated as of September 15, 2004, which bonds were refunded in part with the proceeds of the County's \$104,000 of bonds (the "Series F Bonds") issued pursuant to Resolution No. R2012-0211, adopted by the County Council on October 23, 2012, as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A ; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$22,000 of the Series F Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 (those Series F Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2022, which is the final maturity date for the Series Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent

and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed

by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

"Law Director" means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2022.

"Prosecuting Attorney" means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$22,000 of the Series F Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2, and may include all of those Original Bonds.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series F Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series F Bond Legislation" means, collectively, Resolution No. R2012-0211, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series F Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$40,000 (the "Bonds") to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the property owners' portion of the cost of constructing County Water Improvement No. 2300 in County Sewer District No. 23 in Chagrin Falls Township, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series F Bonds to be refunded (defined above as the "Refunded Bonds"), which may

include all or a portion of the outstanding Series F Bonds stated to mature on December 1 in each of the years 2021 and 2022. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series F Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$20,000
2022	20,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award,

consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system. The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of

the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) **Mandatory Sinking Fund Redemption of Term Bonds.** If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified

by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the

manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of

the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmaturing principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make

a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and

completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original

Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series F Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly

allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on each December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded

Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall

be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. This Resolution shall be in full force and effect immediately upon the signature of the County Executive, provided this Resolution receives the affirmative vote of eight members elected to Council. It is hereby determined to be necessary that this Resolution become immediately effective in order that the refunding of the Refunded Bonds may proceed in a timely manner to enable the County to take advantage of current favorable market interest rates.

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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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0191

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$685,000.00, to refund at a lower interest cost all or a portion of the \$660,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2025, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the County's contribution to the acquisition and equipping of the Village of Highland Hills municipal building, and the renovation and construction and reconstruction of improvements thereto, including necessary appurtenances thereto; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County, acting under authority of Article X, Section 3 of the Ohio Constitution, Article I, Section 1.01 of the County's Charter, Sections 307.15 and 755.16 of the Revised Code, and a resolution previously adopted this Council, and the Village of Highland Hills, acting under authority of Article XVIII, Sections 3 and 7 of the Ohio Constitution, the Village's Charter, Sections 307.15 and 755.16 of the Revised Code, and an ordinance passed by the Village Council, have determined to enter into a cooperative agreement with respect to the operation, maintenance and shared use of the Village's municipal building as a community center for governmental and civic purposes (the "Cooperative Agreement"); and

WHEREAS, the Cooperative Agreement provides for the Village and the County to coordinate their efforts and to cooperate in the operation and maintenance of the Community Center and the refinancing of certain obligations previously incurred by the Village to finance or refinance the costs of the acquisition and equipping of the municipal building, and the renovation and construction and reconstruction of improvements thereto, including necessary appurtenances thereto, in order to achieve cost and other efficiencies and objectives of the County and the Village and to maximize the benefit of the provision of such facility to all those who work and reside in the Village and the County; and

WHEREAS, as its contribution to the cooperative venture and pursuant to Resolution No. R2012-0213, adopted by the County Council on October 23, 2012, the County agreed to issue its maximum aggregate amount \$2,020,000 bonds, as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A (the "Series G Bonds") to provide funds for the purposes described in Section 2 below; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$660,000 of the Series G Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2025 (those Series G Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2025, which is the final maturity date for the Series G Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

"Law Director" means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2025.

"Prosecuting Attorney" means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$660,000 of the Series G Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2025 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series G Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series G Bond Legislation" means, collectively, Resolution No. R2012-0213, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series G Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$685,000 (the "Bonds") to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for county offices and functions, and improving and equipping sites for such buildings, facilities and structures, in each case together with all necessary appurtenances and work incidental thereto, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series G Bonds to be refunded (the Refunded Bonds), which may include all or a portion of the outstanding Series G Bonds stated to mature on December 1 in each of the years from 2021 through 2025. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal

amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series G Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$175,000
2022	175,000
2023	170,000
2024	85,000
2025	80,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of

Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds..

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds.

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) **Mandatory Sinking Fund Redemption of Term Bonds.** If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice,

shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Clerk of this Board. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so

authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to

make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal

Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

(b) The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

(c) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(d) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any

filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(e) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series E Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps

required by the teams of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on each December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied

and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion

in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Clerk of Council is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized,

on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. It is necessary that this Resolution become immediately effective for the preservation of public peace, health, or safety in the County and any additional reasons set forth in the preamble, including to achieve a favorable interest rate for the Bonds based on current municipal bond market conditions. 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.

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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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0192

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$32,670,000.00, to refund at a lower interest cost all or a portion of the \$31,160,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2037, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for county offices and functions, and improving and equipping sites for such buildings, facilities and structures, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. R2012-0201, adopted by the County Council on October 23, 2012, the County issued its \$39,721,000 of bonds (the "Series H Bonds"), as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A for the purpose described in Section 2 below; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$31,160,000 of the Series H Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2037 (those Series H Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2037, which is the final maturity date for the Series H Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

"Code" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments

of, or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

"Law Director" means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2037.

"Prosecuting Attorney" means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$31,160,000 of the Series H Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2037 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series H Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series H Bond Legislation" means, collectively, Resolution No. R2012-0201, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series H Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$32,670,000 (the “Bonds”) to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving buildings, facilities and structures for county offices and functions, and improving and equipping sites for such buildings, facilities and structures, in each case together with all necessary appurtenances and work incidental thereto, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and his determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series G Bonds to be refunded (the Refunded Bonds), which may include all or a portion of the outstanding Series G Bonds stated to mature on December 1 in each of the years from 2021 and 2037. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series G Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the

Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$1,775,000
2022	1,815,000
2023	1,820,000
2024	1,830,000
2025	1,840,000
2026	1,850,000
2027	1,855,000
2028	1,865,000
2029	1,880,000
2030	1,895,000
2031	1,925,000
2032	1,950,000
2033	1,985,000
2034	2,025,000
2035	2,070,000
2036	2,120,000
2037	2,170,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be

increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with his determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with his determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds..

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds.

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with his determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof

against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. If determined in the Certificate of Award to be in the best interest of and financially advantageous to the County, the Bonds or portions thereof as designated and set forth in the Certificate of Award shall be subject to prior redemption by and at the sole option of the County, in whole or in part on any date, in integral multiples of \$5,000 at the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount redeemed) specified in the Certificate of Award plus, in each case, accrued interest to the redemption date, provided the earliest optional redemption date shall not be earlier than December 1, 2028 at redemption price not be greater than 100% of the principal amount to be redeemed; and provided, further that any Bonds not redeemed shall be in Authorized Denomination.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council by adoption of a resolution or passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given to the Bond Registrar at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and

bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Clerk of this Board. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's

liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its

Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

(b) Certificate of Award. The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the

County and the Original Purchasers, in substantially the form as is now on file with the Clerk of Council, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(c) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(d) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(e) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series E Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Clerk of Council.

The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on each December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the

bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund,

which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to

the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Clerk of Council is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and

any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. It is necessary that this Resolution become immediately effective for the preservation of public peace, health, or safety in the County and any additional reasons set forth in the preamble, including to achieve a favorable interest rate for the Bonds based on current municipal bond market conditions. 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.

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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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0193

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$17,555,000.00, to refund at a lower interest cost all or a portion of the \$16,745,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2037, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay the costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. R2012-0202, adopted by the County Council on October 23, 2012, the County issued its \$21,350,000 of bonds (the "Series I Bonds"), as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A for the purpose described in Section 2 below; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$16,745,000 of the Series I Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2037 (those Series I Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2037, which is the final maturity date for the Series I Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds."

"Code" means the Internal Revenue Code of 1986, the Regulations (whether temporary or final) under that Code or the statutory predecessor of that Code, and any amendments of,

or successor provisions to, the foregoing and any official rulings, announcements, notices, procedures and judicial determinations regarding any of the foregoing, all as and to the extent applicable. Unless otherwise indicated, reference to a Section of the Code includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

"Law Director" means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2022.

"Prosecuting Attorney" means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$16,745,000 of the Series I Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2037 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series I Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series I Bond Legislation" means, collectively, Resolution No. R2012-0202, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series I Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$17,555,000 (the “Bonds”) to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the costs of constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and his determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series I Bonds to be refunded (defined above as the “Refunded Bonds”), which may include all or a portion of the outstanding Series I Bonds stated to mature on December 1 in each of the years from 2021 through 2037. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series I Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the

Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$955,000
2022	980,000
2023	980,000
2024	980,000
2025	990,000
2026	995,000
2027	995,000
2028	1,000,000
2029	1,010,000
2030	1,020,000
2031	1,030,000
2032	1,050,000
2033	1,065,000
2034	1,085,000
2035	1,115,000
2036	1,140,000
2037	1,165,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be

increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) **Payment of Debt Charges.** The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds.

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof

against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. If determined in the Certificate of Award to be in the best interest of and financially advantageous to the County, the Bonds or portions thereof as designated and set forth in the Certificate of Award shall be subject to prior redemption by and at the sole option of the County, in whole or in part on any date, in integral multiples of \$5,000 at the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount redeemed) specified in the Certificate of Award plus, in each case, accrued interest to the redemption date, provided the earliest optional redemption date shall not be later than December 1, 2028 at redemption price not be greater than 100% of the principal amount to be redeemed; and provided, further that any Bonds not redeemed shall be in Authorized Denomination.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council by adoption of a resolution or passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given to the Bond Registrar at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and

bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Clerk of this Board. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge

the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) **Transfer and Exchange.** Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) **Book Entry System.** Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its

Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the

County and the Original Purchasers, in substantially the form as is now on file with the Clerk of Council, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Clerk of Council. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series I Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the teams of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Clerk of Council. The Escrow Agreement is approved, together with any changes or amendments that are

not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the

Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund,

which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to

the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Clerk of Council is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and

any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. It is necessary that this Resolution become immediately effective for the preservation of public peace, health, or safety in the County and any additional reasons set forth in the preamble, including to achieve a favorable interest rate for the Bonds based on current municipal bond market conditions. 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.

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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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0194

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$300,000.00, to refund at a lower interest cost all or a portion of the \$280,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years 2021 and 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay costs of acquiring radios and other communications equipment, together with all necessary appurtenances, for use in carrying out functions of the sheriff's department; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. R2012-0203, adopted by the County Council on October 23, 2012, the County issued its \$1,205,000 of bonds (the "Series J Bonds"), as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A for the purpose described in Section 2 below; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$280,000 of the Series J Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 (those Series J Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2022, which is the final maturity date for the Series J Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

"Law Director" means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2022.

"Prosecuting Attorney" means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$280,000 of the Series J Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series J Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series J Bond Legislation" means, collectively, Resolution No. R2012-0203, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series J Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or

entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$300,000 (the “Bonds”) to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the costs of acquiring radios and other communications equipment, together with all necessary appurtenances, for use in carrying out functions of the Sheriff’s Department, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and his determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series J Bonds to be refunded (defined above as the “Refunded Bonds”), which may include all or a portion of the outstanding Series J Bonds stated to mature on December 1 in each of the years 2021 and 2022. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series J Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate

of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$150,000
2022	150,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds.

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered.

That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and

bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge

the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) **Transfer and Exchange.** Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) **Book Entry System.** Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its

Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between

the County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

(e) The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series J Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk.

The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding,

purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund,

which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to

the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0195

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$225,000.00 to refund at a lower interest cost all or a portion of the \$205,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years 2021 and 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay costs of improving the county fairgrounds by acquiring, constructing and installing a wind turbine and related equipment to provide electric power to the fairgrounds; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. R2012-0204, adopted by the County Council on October 23, 2012, the County issued its \$880,000 bonds (the "Series K Bonds"), as part of a consolidated issued of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A for the purpose described in Section 2 below; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$205,000 of the Series K Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 (those Series K Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Refunded Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for those improvements, at least five years and that the maximum maturity of the Bonds, was

not earlier than December 1, 2022, which is the final maturity date for the Series K Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

"Authorized Denominations" means the denomination of \$1,000 or any whole multiple thereof.

"Bond proceedings" means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

"Bond Register" means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

"Bond Registrar" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, "Bond Registrar" shall mean the successor Bond Registrar.

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

"Certificate of Award" means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

"Closing Date" means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

"Continuing Disclosure Agreement" means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

"Council Clerk" means the Clerk of the Council of Cuyahoga County, Ohio.

"County Executive" means the County Executive of the County.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

"Escrow Agreement" means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

"Escrow Fund" means the Escrow Fund established pursuant to Section 9 of this Resolution.

"Escrow Trustee" means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, "Escrow Trustee" shall mean the successor Escrow Trustee.

"Fiscal Officer" means the Fiscal Officer of the County.

"Interest Payment Dates" means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

"Law Director" means the Director of Law of the County.

"Municipal Advisor" means Stifel, Nicolaus & Company, Incorporated.

"Original Purchasers" means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

"Participant" means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

"Principal Payment Dates" means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2022.

"Prosecuting Attorney" means the Prosecuting Attorney of the County.

"Purchase Agreement" means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

"Refunded Bonds" means the portion of the \$205,000 of the Series K Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2.

"Registrar Agreement" means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

"SEC" means the Securities and Exchange Commission.

"Serial Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

"Series K Bonds" shall have the meaning set forth in the preamble to this Resolution.

"Series K Bond Legislation" means, collectively, Resolution No. R2012-0209, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series K Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

"Term Bonds" means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or

entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$225,000 (the “Bonds”) to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay costs of improving the county fairgrounds by acquiring, constructing and installing a wind turbine and related equipment to provide electric power to the fairgrounds, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer’s determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series K Bonds to be refunded (defined above as the “Refunded Bonds”), which may include all or a portion of the outstanding Series K Bonds stated to mature on December 1 in each of the years from 2021 and 2022. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series K Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the

Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$110,000
2022	115,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered.

That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and

bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge

the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) **Transfer and Exchange.** Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) **Book Entry System.** Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its

Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the

County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series K Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk.

The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding,

purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund,

which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to

the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. This Resolution shall be in full force and effect immediately upon the signature of the County Executive, provided this Resolution receives the affirmative vote of eight members elected to Council. It is hereby determined to be necessary that this Resolution become immediately effective in order that the refunding of the Refunded Bonds may proceed in a timely manner to enable the County to take advantage of current favorable market interest rates.

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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0196

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$215,000.00 to refund at a lower interest cost all or a portion of the \$195,000.00 of the county's outstanding capital improvement and refunding bonds, series 2012, that are stated to mature on December 1 in each of the years from 2021 through 2022, all of which were issued as a part of a consolidated issue of capital improvement and refunding bonds, series 2012A, dated as of December 13, 2012, to provide funds to pay costs of reconstructing, resurfacing and otherwise improving and equipping runways at the county airport, together with necessary appurtenances and work incidental thereto; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution No. R2012-0205, adopted by the County Council on October 23, 2012, the County issued its \$847,000 bonds (the "Series L Bonds"), as part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A for the purpose described in Section 2 below; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) refund at a lower interest cost all or a portion of the \$195,000 of the Series L Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 through 2022 (those Series L Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the "Refunded Bonds"), (ii) exercise its option to call all of the Refunded Bonds for redemption on December 1, 2020, the earliest optional redemption date for the Original Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the original securities issued for

those improvements, at least five years and that the maximum maturity of the Bonds, was not earlier than December 1, 2022, which is the final maturity date for the Series L Bonds.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means the denomination of \$1,000 or any whole multiple thereof.

“Bond proceedings” means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

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

“Certificate of Award” means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

includes any applicable successor section or provision and such applicable Regulations, rulings, announcements, notices, procedures and determinations pertinent to that Section.

“Continuing Disclosure Agreement” means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection © of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Council Clerk” means the Clerk of the Council of Cuyahoga County, Ohio.

“County Executive” means the County Executive of the County.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

“Escrow Fund” means the Escrow Fund established pursuant to Section 9 of this Resolution.

“Escrow Trustee” means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become such pursuant to the provisions of the Escrow Agreement and, thereafter, “Escrow Trustee” shall mean the successor Escrow Trustee.

“Fiscal Officer” means the Fiscal Officer of the County.

“Interest Payment Dates” means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

“Law Director” means the Director of Law of the County.

“Municipal Advisor” means Stifel, Nicolaus & Company, Incorporated.

“Original Purchasers” means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2022.

“Prosecuting Attorney” means the Prosecuting Attorney of the County.

“Purchase Agreement” means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

“Refunded Bonds” means the portion of the \$195,000 of the Series L Bonds now outstanding that are stated to mature on December 1 in each of the years 2021 and 2022 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2, and may include all of those Original Bonds.

“Registrar Agreement” means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Series L Bonds” shall have the meaning set forth in the preamble to this Resolution.

“Series L Bond Legislation” means, collectively, Resolution No. R2012-0205, adopted by the Council on October 23, 2012, and the related certificate of award dated November 29, 2012, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series L Bonds as a part of a consolidated issue of \$101,470,000 Capital Improvement and Refunding Bonds, Series 2012A, dated as of December 13, 2012.

“Term Bonds” means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or

entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$215,000 (the “Bonds”) to refund at a lower interest cost the Refunded Bonds, which Refunded Bonds were issued to provide funds to pay the costs of acquiring, constructing, adding to, remodeling, renovating, rehabilitating, furnishing, equipping and otherwise improving county jail, correctional and juvenile detention facilities and acquiring and improving sites for those facilities, in each case together with all necessary appurtenances and work incidental thereto, and to pay expenses related to that refunding and to the issuance of the Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer’s determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series L Bonds to be refunded (as defined above, the “Refunded Bonds”), which may include all or a portion of the outstanding Series L Bonds stated to mature on December 1 in each of the years from 2021 and 2022. Subject to the limitations set forth in this Resolution, the Fiscal Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series L Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one lot and only as fully registered bonds, in the Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day

months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) **Principal Payment Schedule.** The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$105,000
2022	110,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued, (ii) the aggregate principal amount of Bonds to be issued as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) **Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts.** The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered.

That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer, setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. The Bonds shall not be subject to optional redemption prior to maturity.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and

bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge

the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) **Transfer and Exchange.** Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmatured principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) **Book Entry System.** Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its

Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that such Fiscal Officer determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the

County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the "deemed final" and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of the "deemed final" and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2020. The Fiscal Officer is authorized and directed to give to The Bank of New York Mellon Trust Company, N.A., as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series D Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the terms of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk.

The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2012 Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on each December 1, 2020, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2020, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series Dre to be purchased for the Escrow Fund, the Fiscal Officer; the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the

bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund,

which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of the Bonds in such manner and to such extent as may be necessary so that (a) the Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on the Bonds will not be an item of tax preference under Section 57 of the Code.

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

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Bonds and interest thereon.

Each covenant made in this Section with respect to the Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to

the extent such compliance is necessary to assure exclusion of interest on the Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meetings. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. This Resolution shall be in full force and effect immediately upon the signature of the County Executive, provided this Resolution receives the affirmative vote of eight members elected to Council. It is hereby determined to be necessary that this Resolution become immediately effective in order that the refunding of the Refunded Bonds may proceed in a timely manner to enable the County to take advantage of current favorable market interest rates.

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:

Bond Counsel: Calfee, Halter & Griswold LLP

Journal _____
_____, 2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0197

<p>Sponsored by: County Executive Budish/Fiscal Officer/Office of Budget and Management</p>	<p>A Resolution providing for the issuance and sale of bonds in a maximum aggregate principal amount of \$51,875,000.00, to advance refund at a lower aggregate interest cost all or a portion of the \$41,005,000.00 of the county's outstanding Various Purpose Sales Tax Revenue Bonds, Series 2014A, dated as of December 17, 2014 that are stated to mature on December 1, 2029 and on December 1 in each of the years from 2032 through 2035, all of which were issued to provide funds to pay the cost of constructing, maintaining, expanding, refurbishing, renovating, upgrading, improving, furnishing and equipping various county buildings and refunding certain bonds previously issued, in each case together with the necessary appurtenances and work incidental thereto; declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, pursuant to Resolution Nos. R2014-0254 and R2014-0255, each adopted on November 25, 2014, the County issued its \$137,890,000 Various Purpose Sales Tax Revenue Bonds, Series 2014, dated December 17, 2014 (the "Series 2014 Sales Tax Bonds") for the purpose of providing funds to (i) pay or reimburse the cost of constructing, maintaining, expanding, refurbishing, renovating, upgrading, improving, furnishing and equipping the Cuyahoga County Administrative Headquarters, the Cuyahoga County Corrections Center, the Justice Center, the Cuyahoga County Juvenile Justice Center, the Medical Examiner's Office, the Office of Emergency Management, the Jane Edna Hunter Building and certain other related facilities and improvements operated by the County; (ii) pay the cost of refunding (a) the County's outstanding Sewer District Improvement Bonds, Series 2000, dated September 1, 2000, (b) the County's outstanding Sewer District Improvement Bonds, Series 2005, dated September 1, 2005, and (c) the County's outstanding Various Purpose General Obligation (Limited Tax) Bonds, Series 2009A (Tax-Exempt), dated December 16, 2009, (iii) pay capitalized interest on the Series 2014 Sales Tax Bonds; and (iv) pay certain costs of issuance of the Series 2014 Sales Tax Bonds; and

WHEREAS, this Council finds and determines that it is in the best interest of the County to (i) advance refund at a lower aggregate interest cost all or a portion of the

\$41,005,000 of the Series 2014 Sales Tax Bonds now outstanding that are stated to mature on December 1, 2029 and on December 1 in each of the years 2032 through 2035 (those Series 2014 Sales Tax Bonds to be refunded, to be finally determined and specified by the Fiscal Officer at the time of the sale of the Bonds as set forth in Section 2, being hereinafter collectively referred to as the “Refunded Bonds”), (ii) exercise its option to call all of the outstanding Refunded Bonds for redemption on December 1, 2024, the earliest optional redemption date for the Series 2014 Sales Tax Bonds, and (iii) issue the Bonds described in Section 2 to provide the funds sufficient, together with other funds available to the County for that purpose, to provide for that refunding and call; and

WHEREAS, the Fiscal Officer, as fiscal officer of this County, has certified to this Council that the estimated life or period of usefulness of each class of the improvements described in Section 2 was, at the time of issuance of the Series 2014 Sales Tax Bonds, at least five years and that the maximum maturity of the Bonds is not earlier than December 1, 2035, which is the final maturity date for the Series 2014 Sales Tax Bonds to be refunded.

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

SECTION 1. Definitions and Interpretations. In addition to the words and terms elsewhere defined in this Resolution, unless the context or use clearly indicates another or different meaning or intent:

“Authorized Denominations” means the denomination of \$1,000 or any whole multiple thereof.

“Bond proceedings” means, collectively, this Resolution, the Certificate of Award, the Continuing Disclosure Agreement, the Registrar Agreement, the Escrow Agreement, and the other proceedings of the County, including the Bonds, that provide collectively for, among other things, the rights of holders and beneficial owners of the Bonds.

“Bond Register” means all books and records necessary for the registration, exchange and transfer of Bonds as provided in Section 5.

“Bond Registrar” means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial authenticating agent, bond registrar, transfer agent and paying agent for the Bonds under the Registrar Agreement and until a successor Bond Registrar shall have become such pursuant to the provisions of the Registrar Agreement and, thereafter, “Bond Registrar” shall mean the successor Bond Registrar.

“Book entry form” or “book entry system” means a form or system under which (a) the ownership of book entry interests in Bonds and the principal of and interest on the Bonds may be transferred only through a book entry, and (b) physical Bond certificates in fully registered form are issued by the County only to a Depository or its nominee as registered owner, with the Bonds deposited with and retained in the custody of the Depository or

its agent. The book entry maintained by others than the County is the record that identifies the owners of book entry interests in those Bonds and that principal and interest.

“Certificate of Award” means the certificate authorized to be signed by the Fiscal Officer pursuant to subsection (a) of Section 6, specifying and determining those terms or other matters pertaining to the Bonds and their issuance, sale and delivery as this Resolution requires or authorizes to be set forth or determined therein.

“Closing Date” means the date of physical delivery of, and payment of the purchase price for, the Bonds.

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

“Continuing Disclosure Agreement” means the agreement authorized to be signed by the County Executive and the Fiscal Officer pursuant to subsection (c) of Section 6, to be substantially in the form now on file in the office of the Council Clerk and which, together with the agreements of the County set forth in that subsection and the Bonds, shall constitute the continuing disclosure agreement made by the County for the benefit of holders and beneficial owners of the Bonds in accordance with the Rule.

“Council Clerk” means the Clerk of the Council of Cuyahoga County, Ohio.

“County Executive” means the County Executive of the County.

“Depository” means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of book entry interests in Bonds or the principal of and interest on Bonds, and to effect transfers of Bonds, in book entry form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

“Escrow Agreement” means the Escrow Agreement between the County and the Escrow Trustee, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 8 of this Resolution.

“Escrow Fund” means the Escrow Fund established pursuant to Section 9 of this Resolution.

“Escrow Trustee” means the bank or trust company designated by the Fiscal Officer in the Certificate of Award as the initial escrow agent with respect to the Refunded Bonds under the Escrow Agreement and until a successor Escrow Trustee shall have become

such pursuant to the provisions of the Escrow Agreement and, thereafter, “Escrow Trustee” shall mean the successor Escrow Trustee.

“Fiscal Officer” means the Fiscal Officer of the County.

“Interest Payment Dates” means June 1 and December 1 of each year during which the Bonds are outstanding, commencing June 1, 2021, or such other date not later than December 1, 2021, as may be determined by the Fiscal Officer and specified in the Certificate of Award.

“Law Director” means the Director of Law of the County.

“Municipal Advisor” means Stifel, Nicolaus & Company, Incorporated.

“Original Purchasers” means RBC Capital Markets, LLC, Chicago, Illinois, and the other original purchasers designated by the Fiscal Officer in the Certificate of Award.

“Participant” means any participant contracting with a Depository under a book entry system and includes securities brokers and dealers, banks and trust companies, and clearing corporations.

“Principal Payment Dates” means, unless otherwise determined by the Fiscal Officer and specified in the Certificate of Award, December 1 in each of the years from and including 2021 to and including 2035.

“Purchase Agreement” means the Bond Purchase Agreement between the County and the Original Purchasers, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 6.

“Refunded Bonds” means the portion of the \$51,875,000 of the Series 2014 Sales Tax Bonds now outstanding that are stated to mature on December 1, 2029 and on December 1 in each of the years 2032 through 2035 that is to be refunded by the Bonds, as determined by the Fiscal Officer and specified in the Certificate of Award at the time of the sale of the Bonds in accordance with Section 2, and may include all of the Series 2014 Sales Tax Bonds of those maturities.

“Registrar Agreement” means the Bond Registrar Agreement between the County and the Bond Registrar, as it may be modified from the form on file with the Council Clerk and signed by the County Executive and the Fiscal Officer in accordance with Section 4.

“Rule” means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934.

“SEC” means the Securities and Exchange Commission.

“Serial Bonds” means those Bonds designated as such in the Certificate of Award, maturing on the dates set forth therein, bearing interest payable on each Interest Payment Date and not subject to mandatory sinking fund redemption.

“Series 2014 Sales Tax Bonds” shall have the meaning set forth in the preamble to this Resolution.

“Series 2014 Sales Tax Bond Legislation” means, collectively, Resolution Nos. R2014-0254 and R2014-0255, each adopted by the Council on November 25, 2014, and the related certificate of award dated December 4, 2014, signed by the Fiscal Officer, authorizing and providing for the issuance and sale of the Series 2014 Sales Tax Bonds.

“Tax-Exempt Bonds” means Bonds the interest on which is excluded from gross income of the holders thereof.

“Taxable Bonds” means Bonds the interest on which is not excluded from gross income of the holders thereof.

“Term Bonds” means those Bonds designated as such in the Certificate of Award, maturing on the date or dates set forth therein, bearing interest payable on each Interest Payment Date and subject to mandatory sinking fund redemption.

Any reference to this Council, the County or to its members or officers, or to other public officers, boards, commissions, departments, institutions, agencies, bodies or entities, shall include those which succeed to their functions, duties or responsibilities by operation of law and also those who at the time may legally act in their place.

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

SECTION 2. Authorized Principal Amount and Purpose; Application of Proceeds. It is necessary to issue bonds of this County in the maximum aggregate principal amount of \$51,875,000 (the “Bonds”) to advance refund at a lower aggregate interest cost the Refunded Bonds, which Refunded Bonds were issued to provide a portion funds for the purposes described in the preamble hereto, to pay a portion of the capitalized interest on the Series 2014 Sales Tax Bonds and to pay a portion of the expenses related to the issuance of the Series 2014 Sales Tax Bonds.

As set forth in the preambles, subject to applicable federal tax law requirements and limitations and based on market conditions at the time of the sale of the Bonds and the Fiscal Officer’s determination of the best interest of and financial advantages to the County, the Fiscal Officer shall determine, and shall specify in the Certificate of Award, the Series 2014 Sales Tax Bonds to be refunded (defined above as the “Refunded Bonds”), which may include all or a portion of the outstanding Series 2014 Sales Tax Bonds stated to mature on December 1, 2029 and on December 1 in each of the years from 2032 through 2035. Subject to the limitations set forth in this Resolution, the Fiscal

Officer shall also determine and specify in the Certificate of Award the aggregate principal amount of the Bonds to be issued, the principal maturities of and principal payment schedule for the Bonds, the interest rate or rates that the Bonds shall bear, whether the Bonds or a separate series thereof shall be issued as Tax-Exempt Bonds or Taxable Bonds, and certain other terms and provisions of the Bonds identified in this Resolution upon the finalization of the terms and provisions of the Bonds. The aggregate principal amount of Bonds to be issued, as so specified in the Certificate of Award, shall be the amount determined by the Fiscal Officer to be necessary, taking into account any premium above or discount from the aggregate principal amount of the Bonds at which they are sold to the Original Purchasers and other funds available for the purpose, to carry out the purpose for which the Bonds are to be issued in a manner consistent with the agreements and covenants of the County set forth in the Series 2014 Sales Tax Bond Legislation, the Refunded Bonds and this Resolution.

SECTION 3. Denominations; Dating; Principal and Interest Payment and Redemption Provisions. The Bonds shall be issued in one or more series and only as fully registered bonds, in Authorized Denominations, but in no case as to a particular maturity date exceeding the principal amount maturing on that date. Unless otherwise specified by the Fiscal Officer in the Certificate of Award, the Bonds shall be dated as of the Closing Date.

(a) Interest Rates and Payment Dates. The Bonds shall bear the rate or rates of interest per year (computed on the basis of a 360 day year consisting of twelve 30-day months), not exceeding 10% per year for any stated maturity, as shall be specified by the Fiscal Officer (subject to the provisions of subsection (c) of this Section) in the Certificate of Award. Interest on the Bonds shall be payable on each Interest Payment Date until the principal amount has been paid or provided for. The Bonds shall bear interest from the most recent date to which interest has been paid or provided for or, if no interest has been paid or provided for, from their date.

(b) Principal Payment Schedule. The Bonds shall mature or be payable pursuant to Mandatory Sinking Fund Redemption Requirements (as hereinafter defined and described) on the Principal Payment. Dates in the following years and principal amounts:

<u>Year</u>	<u>Principal Amount</u>
2021	\$910,000
2022	1,000,000
2023	1,010,000
2024	1,015,000
2025	1,025,000
2026	1,040,000
2027	1,055,000

2028	1,065,000
2029	7,740,000
2030	860,000
2031	875,000
2032	8,320,000
2033	8,480,000
2034	8,650,000
2035	8,830,000

provided that, subject to the limitations set forth in Sections 1 and 2 and this Section 3, the principal amount of Bonds maturing or subject to Mandatory Sinking Fund Redemption Requirements on any one or more of the Principal Payment Dates may be increased or decreased as specified by the Fiscal Officer in the Certificate of Award, consistently with the Fiscal Officer's determination of the best interest of and financial advantages to the County.

Consistently with the foregoing and in accordance with the Fiscal Officer's determination of the amount needed for the purpose set forth in Section 2 and the best interest of and financial advantages to the County, the Fiscal Officer shall specify in the Certificate of Award (i) the aggregate principal amount of Bonds to be issued in one or more series, (ii) the aggregate principal amount of Bonds to be issued in each series as Serial Bonds, the Principal Payment Dates on which those Bonds shall be stated to mature and the principal amount thereof that shall be stated to mature on each such Principal Payment Date, and (iii) the aggregate principal amount of Bonds to be issued in each series as Term Bonds, the Principal Payment Date or Dates on which those Bonds shall be stated to mature, the principal amount thereof that shall be stated to mature on each such Principal Payment Date, the Principal Payment Date or Dates on which Term Bonds shall be subject to mandatory sinking fund redemption (Mandatory Redemption Dates) and the principal amount thereof that shall be payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Mandatory Redemption Date.

(c) Conditions for Establishment of Interest Rates and Principal Payment Dates and Amounts. The rate or rates of interest per year to be borne by the Bonds, and the principal amount of Bonds maturing or payable pursuant to Mandatory Sinking Fund Redemption Requirements on each Principal Payment Date, shall be such as to demonstrate net present value savings to the County due to the refunding of the Refunded Bonds in an amount not less than 3.0% of the principal amount of the Refunded Bonds, after taking into account all expenses related to that refunding and the issuance of the Bonds.

(d) Payment of Debt Charges. The debt charges on the Bonds shall be payable in lawful money of the United States of America without deduction for the services of the Bond Registrar as paying agent. Principal of and any premium on the Bonds shall be

payable when due upon presentation and surrender of the Bonds at the designated corporate trust office of the Bond Registrar. Interest on a Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond was registered, and to that person's address appearing, on the Bond Register at the close of business on the 15th day of the calendar month next preceding that Interest Payment Date. Notwithstanding the foregoing, if and so long as the Bonds are issued in a book entry system, principal of and interest and any premium on the Bonds shall be payable in the manner provided in any agreement entered into by the County in connection with the book entry system.

The County reserves the right to order the Bond Registrar to return to it any money held by the Bond Registrar for the payment of (i) checks or drafts for the payment of interest on the Bonds or (ii) principal of or premium on Bonds, which checks, drafts or Bonds have not been presented for payment within four years following the date on which payment of the interest or principal represented thereby came due. Thereafter, the registered owners shall look only to the County for payment of the interest and principal represented by those checks, drafts and Bonds.

(e) Redemption Provisions. Except as may be otherwise specified by the Fiscal Officer in the Certificate of Award consistent with the Fiscal Officer's determination of the best interest of and financial advantages to the County, the Bonds shall be subject to redemption prior to stated maturity as follows:

(i) Mandatory Sinking Fund Redemption of Term Bonds. If any of the Bonds are issued as Term Bonds, the Term Bonds shall be subject to mandatory redemption in part by lot and be redeemed pursuant to mandatory sinking fund requirements at a redemption price of 100% of the principal amount redeemed, plus accrued interest to the redemption date, on the applicable Mandatory Redemption Dates and in the principal amounts payable on those Dates, for which provision is made in the Certificate of Award (such Dates and amounts, the Mandatory Sinking Fund Redemption Requirements).

The aggregate of the moneys to be deposited with the Bond Registrar for payment of principal of and interest on the Bonds on each Mandatory Redemption Date shall include an amount sufficient to redeem on that Date the principal amount of Term Bonds payable on that Date pursuant to Mandatory Sinking Fund Redemption Requirements (less the amount of any credit as hereinafter provided).

The County shall have the option to deliver to the Bond Registrar for cancellation Term Bonds in any aggregate principal amount and to receive a credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) of the County, as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered. That option shall be exercised by the County on or before the 45th day preceding any Mandatory Redemption Date with respect to which the County wishes to obtain a credit, by furnishing the Bond Registrar a certificate, signed by the Fiscal Officer,

setting forth the extent of the credit to be applied with respect to the then current or any subsequent Mandatory Sinking Fund Redemption Requirement for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate. If the certificate is not timely furnished to the Bond Registrar, the then current Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation) shall not be reduced. A credit against the then current or any subsequent Mandatory Sinking Fund Redemption Requirement (and corresponding mandatory redemption obligation), as specified by the Fiscal Officer, also shall be received by the County for any Term Bonds which prior thereto have been redeemed (other than through the operation of the applicable Mandatory Sinking Fund Redemption Requirements) or purchased for cancellation and canceled by the Bond Registrar, to the extent not applied theretofore as a credit against any Mandatory Sinking Fund Redemption Requirement, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so redeemed or purchased and canceled.

Each Term Bond so delivered, or previously redeemed, or purchased and canceled, shall be credited by the Bond Registrar at 100% of the principal amount thereof against the then current or subsequent Mandatory Sinking Fund Redemption Requirements (and corresponding mandatory redemption obligations), as specified by the Fiscal Officer, for Term Bonds stated to mature on the same Principal Payment Date and bear interest at the same rate as the Term Bonds so delivered, redeemed or purchased and canceled.

(ii) Optional Redemption. If determined in the Certificate of Award to be in the best interest of and financially advantageous to the County, the Bonds or portions thereof as designated and set forth in the Certificate of Award shall be subject to prior redemption by and at the sole option of the County, in whole or in part on any date, in integral multiples of \$5,000 at the optional redemption dates and at the redemption prices (expressed as a percentage of the principal amount redeemed) specified in the Certificate of Award plus, in each case, accrued interest to the redemption date, provided the earliest optional redemption date shall not be later than December 1, 2028 at redemption price not be greater than 100% of the principal amount to be redeemed; and provided, further that any Bonds not redeemed shall be in Authorized Denominations.

If optional redemption of Term Bonds at a redemption price exceeding 100% of the principal amount to be redeemed is to take place as of any Mandatory Redemption Date applicable to those Term Bonds, the Term Bonds, or portions thereof, to be redeemed optionally shall be selected by lot prior to the selection by lot of the Term Bonds of the same maturity to be redeemed on the same date by operation of the Mandatory Sinking Fund Redemption Requirements. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council by adoption of a resolution or passage of an ordinance. That notice shall specify the redemption date and the principal amount of each maturity of Bonds to be redeemed, and shall be given to the Bond Registrar at least 45 days prior to the

redemption date or such shorter period as shall be acceptable to the Bond Registrar. Bonds to be redeemed pursuant to this paragraph shall be redeemed only upon written notice from the Fiscal Officer to the Bond Registrar, given upon the direction of this Council by adoption of a resolution. That notice shall specify the redemption date and the principal amount of each maturity (and of each interest rate within a maturity) of Bonds to be redeemed and shall be given at least 45 days prior to the redemption date or such shorter period as shall be acceptable to the Bond Registrar.

(iii) Partial Redemption. If fewer than all of the Bonds of a single maturity and interest rate are to be redeemed, the selection of Bonds of that maturity and rate to be redeemed, or portions thereof in amounts of \$1,000 or any whole multiple thereof, shall be made by the Bond Registrar by lot in a manner determined by the Bond Registrar. In the case of a partial redemption of Bonds by lot when Bonds of denominations greater than \$1,000 are then outstanding, each \$1,000 unit of principal thereof shall be treated as if it were a separate Bond of the denomination of \$1,000. If it is determined that one or more, but not all, of the \$1,000 units of principal amount represented by a Bond are to be called for redemption, then, upon notice of redemption of a \$1,000 unit or units, the registered owner of that Bond shall surrender the Bond to the Bond Registrar (i) for payment of the redemption price of the \$1,000 unit or units of principal amount called for redemption (including, without limitation, the interest accrued to the date fixed for redemption and any premium), and (ii) for issuance, without charge to the registered owner, of a new Bond or Bonds of any Authorized Denomination or Denominations in an aggregate principal amount equal to the unmatured and unredeemed portion of, and bearing interest at the same rate and maturing on the same date as, the Bond surrendered.

(iv) Notice of Redemption. The notice of the call for redemption of Bonds shall identify (A) by designation, letters, numbers or other distinguishing marks, the Bonds or portions thereof to be redeemed, (B) the redemption price to be paid, (C) the date fixed for redemption, and (D) the place or places where the amounts due upon redemption are payable. The notice shall be given by the Bond Registrar on behalf of the County by mailing a copy of the redemption notice by first class mail, postage prepaid, at least 30 days prior to the date fixed for redemption, to the registered owner of each Bond subject to redemption in whole or in part at the registered owner's address shown on the Bond Register maintained by the Bond Registrar at the close of business on the 15th day preceding that mailing. Failure to receive notice by mail or any defect in that notice regarding any Bond, however, shall not affect the validity of the proceedings for the redemption of any Bond.

(v) Payment of Redeemed Bonds. In the event that notice of redemption shall have been given by the Bond Registrar to the registered owners as provided above, there shall be deposited with the Bond Registrar on or prior to the redemption date, moneys that, in addition to any other moneys available therefor and held by the Bond Registrar, will be sufficient to redeem at the redemption price

thereof, plus accrued interest to the redemption date, all of the redeemable Bonds for which notice of redemption has been given. Notice having been mailed in the manner provided in the preceding paragraph hereof, the Bonds and portions thereof called for redemption shall become due and payable on the redemption date, and, subject to the provisions of subsection (d) of Section 3 and Section 5, upon presentation and surrender thereof at the place or places specified in that notice, shall be paid at the redemption price, plus accrued interest to the redemption date. If moneys for the redemption of all of the Bonds and portions thereof to be redeemed, together with accrued interest thereon to the redemption date, are held by the Bond Registrar on the redemption date, so as to be available therefor on that date and, if notice of redemption has been deposited in the mail as aforesaid, then from and after the redemption date those Bonds and portions thereof called for redemption shall cease to bear interest and no longer shall be considered to be outstanding. If those moneys shall not be so available on the redemption date, or that notice shall not have been deposited in the mail as aforesaid, those Bonds and portions thereof shall continue to bear interest, until they are paid, at the same rate as they would have borne had they not been called for redemption. All moneys held by the Bond Registrar for the redemption of particular Bonds shall be held in trust for the account of the registered owners thereof and shall be paid to them, respectively, upon presentation and surrender of those Bonds; provided that any interest earned on the moneys so held by the Bond Registrar shall be for the account of and paid to the County to the extent not required for the payment of the Bonds called for redemption.

SECTION 4. Execution and Authentication of Bonds; Appointment of Bond Registrar. The Bonds shall be signed by the County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, provided that any or all of those signatures may be a facsimile. The Bonds shall be issued in the Authorized Denominations and numbers as requested by the Original Purchasers and approved by the Fiscal Officer, shall be numbered as determined by the Fiscal Officer in order to distinguish each Bond from any other Bond, and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Resolution.

The initial Bond Registrar shall be designated by the Fiscal Officer in the Certificate of Award. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Registrar Agreement between the County and the Bond Registrar, in substantially the form as is now on file with the Council Clerk. The Registrar Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Registrar Agreement or amendments thereto. The Fiscal Officer shall provide for payment of services rendered and for reimbursement of expenses incurred pursuant to the Registrar Agreement, except to the extent paid or reimbursed by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of

the Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose.

No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Bond proceedings unless and until the certificate of authentication printed on the Bond is signed by the Bond Registrar as authenticating agent. Authentication by the Bond Registrar shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Bond proceedings. The certificate of authentication may be signed by any authorized officer or employee of the Bond Registrar or by any other person acting as an agent of the Bond Registrar and approved by the Fiscal Officer on behalf of the County. The same person need not sign the certificate of authentication on all of the Bonds.

SECTION 5. Registration; Transfer and Exchange; Book Entry System.

(a) Bond Registrar. So long as any of the Bonds remain outstanding, the County will cause the Bond Registrar to maintain and keep the Bond Register at its designated corporate trust office. Subject to the provisions of subsection (d) of Section 3 and subsection (c) of Section 6, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute owner of that Bond for all purposes of the Bond proceedings. Payment of or on account of the debt charges on any Bond shall be made only to or upon the order of that person; neither the County nor the Bond Registrar shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the County's liability upon the Bond, including interest, to the extent of the amount or amounts so paid.

(b) Transfer and Exchange. Any Bond may be exchanged for Bonds of any Authorized Denomination upon presentation and surrender at the designated corporate trust office of the Bond Registrar, together with a request for exchange signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. A Bond may be transferred only on the Bond Register upon presentation and surrender of the Bond at the designated corporate trust office of the Bond Registrar, together with an assignment signed by the registered owner or by a person legally empowered to do so in a form satisfactory to the Bond Registrar. Upon exchange or transfer the Bond Registrar shall complete, authenticate and deliver a new Bond or Bonds of any Authorized Denomination or Denominations requested by the owner equal in the aggregate to the unmaturing principal amount of the Bond surrendered and bearing interest at the same rate and maturing on the same date.

If manual signatures on behalf of the County are required, the Bond Registrar shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the County. In all cases of Bonds exchanged or transferred, the County shall sign and the Bond Registrar shall authenticate and deliver Bonds in accordance with the provisions of the Bond proceedings. The exchange or transfer shall be without charge to the owner, except that the County and the Bond Registrar may make

a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The County or the Bond Registrar may require that those charges, if any, be paid before the procedure is begun for the exchange or transfer. All Bonds issued and authenticated upon any exchange or transfer shall be valid obligations of the County, evidencing the same debt, and entitled to the same security and benefit under the Bond proceedings as the Bonds surrendered upon that exchange or transfer. Neither the County nor the Bond Registrar shall be required to make any exchange or transfer of (i) Bonds then subject to call for redemption between the 15th day preceding the mailing of notice of Bonds to be redeemed and the date of that mailing, or (ii) any Bond selected for redemption, in whole or in part.

(c) Book Entry System. Notwithstanding any other provisions of this Resolution, if the Fiscal Officer determines and specifies in the Certificate of Award that it is in the best interest of and financially advantageous to the County, the Bonds may be issued in book entry form in accordance with the following provisions of this Section.

The Bonds may be issued to a Depository for use in a book entry system and, if and so long as a book entry system is utilized, (i) the Bonds may be issued in the form of a single, fully registered Bond representing each maturity and interest rate within a maturity and registered in the name of the Depository or its nominee, as registered owner, and deposited with and retained in the custody of the Depository or its designated agent which may be the Bond Registrar; (ii) the book entry interest owners of Bonds in book entry form shall not have any right to receive Bonds in the form of physical securities or certificates; (iii) ownership of book entry interests in Bonds in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of book entry interests shall be made only by book entry by the Depository and its Participants; and (iv) the Bonds as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the County.

If any Depository determines not to continue to act as a Depository for the Bonds for use in a book entry system, the Fiscal Officer may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Fiscal Officer does not or is unable to do so, the Fiscal Officer, after making provision for notification of the book entry interest owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Bonds from the Depository, and shall cause Bond certificates in registered form to be authenticated by the Bond Registrar and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of County action or inaction, of those persons requesting such issuance.

The Fiscal Officer is hereby authorized and directed, to the extent necessary or required, to enter into any agreements, in the name and on behalf of the County, that he determines to be necessary in connection with a book entry system for the Bonds.

SECTION 6. Sale of the Bonds.

(a) To the Original Purchasers. The Bonds shall be awarded and sold by the Fiscal Officer to the Original Purchasers at private sale at a purchase price not less than 97% of the aggregate principal amount thereof plus accrued interest on the Bonds from their date to the Closing Date, as shall be determined by the Fiscal Officer and specified in the Certificate of Award, and with and upon such other terms as are required or authorized by this Resolution to be specified in the Certificate of Award, in accordance with law, the provisions of this Resolution and the Purchase Agreement. The Fiscal Officer is authorized, if it is determined to be in the best interest of the County, to combine the issue of Bonds with one or more other bond issues of the County into a consolidated bond issue pursuant to Section 133.30(B) of the Revised Code in which case a single Certificate of Award may be utilized for the consolidated issue if appropriate and consistent with the terms of this Resolution.

The Fiscal Officer shall sign and deliver the Certificate of Award and shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Original Purchasers upon payment of the purchase price. The County Executive, the Fiscal Officer, the Prosecuting Attorney, the Law Director, the Council Clerk and other County officials, as appropriate, each are authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Resolution.

The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Purchase Agreement between the County and the Original Purchasers, in substantially the form as is now on file with the Council Clerk, providing for the sale of the Bonds to, and the purchase of the Bonds by, the Original Purchasers. The Purchase Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Purchase Agreement or amendments thereto.

(b) Primary Offering Disclosure; Official Statement. The County Executive and the Fiscal Officer, in the name and on behalf of the County and in their official capacities, are authorized and directed to (i) prepare or cause to be prepared, and to make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement in connection with the original issuance of the Bonds, (ii) determine, and to certify or otherwise represent, when the official statement is to be “deemed final” (except for permitted omissions) by the County as of its date or is a final official statement for purposes of the Rule, (iii) use and distribute, or authorize the use and distribution of, the “deemed final” and final official statements and any supplements thereto in connection with the original issuance of the Bonds, and (iv) complete and sign the final official statement as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and

completeness of the “deemed final” and final official statements as they deem necessary and appropriate.

(c) Agreement to Provide Continuing Disclosure. For the benefit of the holders and beneficial owners from time to time of the Bonds, the County agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The County Executive and the Fiscal Officer are authorized and directed to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the County, in substantially the form as is now on file with the Council Clerk. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement.

The Fiscal Officer is further authorized and directed to establish procedures in order to ensure compliance by the County with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Fiscal Officer shall consult with and obtain legal advice from, as appropriate, bond counsel or other qualified independent special counsel selected by the County. The Fiscal Officer, acting in the name and on behalf of the County, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the County of its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

(d) Application for Ratings or Bond Insurance. If, in the judgment of the County Executive or the County Fiscal Officer, the filing of an application for (i) a rating on the Bonds by one or more nationally recognized rating agencies and/or (ii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Bonds is in the best interest of and financially advantageous to this County, the County Executive and the Fiscal Officer are each authorized to prepare and submit those applications, or to cause them to be prepared and submitted. The County Executive and the Fiscal Officer are each also authorized to provide, or cause to be provided, to each such agency or company such information as may be required for the purpose and, if it is, in their judgment, in the best interest of and financially advantageous to the County, to accept a commitment for insurance issued by a nationally recognized municipal bond insurance company insuring the payment when due of the principal of and interest on all or any portion of the Bonds. The County Executive and the Fiscal Officer are further authorized to enter into any agreements, on behalf of and in the name of the County, that they determine to be necessary or required to obtain such ratings or insurance and take such other actions as may be required for the purpose.

The expenditure of the amounts necessary to secure those ratings and services and any such policy and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Bonds, to the extent not paid by the Original

Purchasers in accordance with the Purchase Agreement, is authorized and approved, and the Fiscal Officer is authorized to provide for the payment of any such amounts and costs from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

SECTION 7. Refunding; Call of Refunded Bonds. This Council determines that it is in the best interest of the County to refund the Refunded Bonds and to redeem the Refunded Bonds by optional redemption on December 1, 2024. The Fiscal Officer is authorized and directed to give to The Huntington National Bank, as the authenticating agent, bond registrar, transfer agent and paying agent for the Refunded Bonds, on or promptly after the Closing Date, written notice of that call for redemption, and the Refunded Bonds shall be redeemed in accordance with the provisions of this Resolution, the Refunded Bonds, the Series 2014 Sales Tax Bond Legislation and the Escrow Agreement. The County covenants for the benefit of the holders of the Refunded Bonds and of the Bonds that it will at no time on or after the Closing Date take actions to modify or rescind that call for prior redemption, and that it will take, and will cause the bond registrar and paying agent for the Refunded Bonds to take, all steps required by the teams of the Refunded Bonds to make and perfect that call for prior redemption.

SECTION 8. Escrow Trustee. The initial Escrow Trustee shall be designated by the Fiscal Officer in the Certificate of Award to act as the initial Escrow Trustee with respect to the refunding of the Refunded Bonds. The Escrow Trustee is authorized and directed to cause notice of the refunding of the Refunded Bonds to be given in accordance with the Escrow Agreement. The County Executive and the Fiscal Officer shall sign and deliver, in the name and on behalf of the County and in their official capacities, the Escrow Agreement, in substantially the form as is now on file with the Council Clerk. The Escrow Agreement is approved, together with any changes or amendments that are not inconsistent with this Resolution and not substantially adverse to the County and that are approved by the County Executive and the Fiscal Officer on behalf of the County, all of which shall be conclusively evidenced by the signing of the Escrow Agreement or amendments thereto. The Fiscal Officer shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from other funds lawfully available and that are appropriated or shall be appropriated for that purpose.

SECTION 9. Escrow Fund. There is created under the Escrow Agreement a trust fund designated the "County of Cuyahoga Refunded 2014 Sales Tax Bonds Escrow Fund" that shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and is pledged for the payment of principal of and interest on the Refunded Bonds, all in accordance with the provisions of the Escrow Agreement. The Fiscal Officer is hereby authorized and directed to pay to the Escrow Trustee for deposit in the Escrow Fund (i) any available funds on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for that purpose, and (ii) proceeds from the sale of the Bonds, except any accrued interest and any proceeds to be used for the payment of any expenses

properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds as determined by the Fiscal Officer, in the amount required, together with the funds referred to in (i), to provide for the defeasance of the Refunded Bonds. The funds and proceeds so paid to the Escrow Trustee are appropriated and shall be applied to pay principal of and interest on the Refunded Bonds, as provided in the Escrow Agreement.

The funds so deposited in the Escrow Fund shall be (a) held in cash to the extent that they are not needed to make the investments hereinafter described and (b) invested in direct obligations of, or obligations guaranteed as to payment by, the United States of America (within the meaning of Section 133.34(D) of the Revised Code) that mature or are subject to redemption by and at the option of the holder, in amounts sufficient, together with any uninvested cash in the Escrow Fund but without further investment or reinvestment, for the payment of (i) interest when due on the Refunded Bonds on each June 1 and December 1 commencing December 1, 2021, and (ii) the principal of the Refunded Bonds upon their redemption by optional redemption on December 1, 2024, as provided in the Escrow Agreement.

If U.S. Treasury Securities -- State and Local Government Series are to be purchased for the Escrow Fund, the Fiscal Officer, the Escrow Trustee and the Municipal Advisor, or any of them individually, are hereby specifically authorized to file, on behalf of the County, subscriptions for the purchase and issuance of those U.S. Treasury Securities - State and Local Government Series. If, in the judgment of the Fiscal Officer, an open-market purchase of obligations described in (b) in the preceding paragraph for the Escrow Fund is in the best interest of and financially advantageous to this County, the Fiscal Officer or any other officer of the County, on behalf of the County and in his or her official capacity, may purchase and deliver such obligations, engage the services of a Municipal Advisor, bidding agent or similar entity for the purpose of facilitating the bidding, purchase and delivery of such obligations for, and any related structuring of, the Escrow Fund, execute such instruments as are deemed necessary to engage such services for such purpose, and provide further for the payment of the cost of obtaining such services, except to the extent paid by the Original Purchasers in accordance with the Purchase Agreement, from the proceeds of the Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. Any actions heretofore taken by any of those officers in connection with the foregoing are hereby ratified and approved. If the County determines to fund or refund other outstanding unvoted general obligation bonds (collectively, the "Other Refunded Obligations") contemporaneously with the refunding of the Refunded Bonds, the proceeds from the sale of bonds and other funds necessary and sufficient for that purpose may be deposited in the Escrow Fund and commingled and invested with the proceeds of the Bonds and other funds necessary and sufficient for the refunding of the Refunded Bonds. In that event, the Escrow Fund shall be held and maintained by the Escrow Trustee in trust for the registered owners of the Refunded Bonds and the Other Refunded Obligations and pledged to the payment of principal of and interest and any redemption premium on the Refunded Bonds and the Other Refunded Obligations.

SECTION 10. Application of Proceeds. The proceeds from the sale of the Bonds shall be applied as follows: (i) proceeds in the amount required, together with any funds

on deposit in the Bond Retirement Fund for the payment of debt charges on the Refunded Bonds determined by the Fiscal Officer to be applied for the purpose, to provide for the defeasance of the Refunded Bonds shall be paid into the Escrow Fund as provided in Section 9, (ii) any proceeds to be used for the payment of any expenses properly allocable to the refunding of the Refunded Bonds or the issuance of the Bonds, as determined by the Fiscal Officer, shall be paid into the proper fund or funds and (iii) any proceeds representing accrued interest and any other remaining proceeds shall be paid into the Bond Retirement Fund. The proceeds from the sale of the Bonds (except any accrued interest) are appropriated and shall be used for the purpose for which the Bonds are being issued.

SECTION 11. Provisions for Tax Levy. There shall be levied on all the taxable property in the County, in addition to all other taxes, a direct tax annually during the period the Bonds are outstanding in an amount sufficient to pay the debt charges on the Bonds when due, which tax shall not be less than the interest and sinking fund tax required by Section 11 of Article XII of the Ohio Constitution. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof provided, however, that in each year to the extent that revenues are available from other sources for the payment of the Bonds and are appropriated for such purpose, the amount of such direct tax upon all of the taxable property in the County shall be reduced by the amount of such revenues so available and appropriated.. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Bonds when and as the same fall due.

SECTION 12. Federal Tax Considerations. The County covenants that it will use, and will restrict the use and investment of, the proceeds of any Bonds that are issued as Tax-Exempt Bonds in such manner and to such extent as may be necessary so that (a) such Tax-Exempt Bonds will not (i) constitute private activity bonds or arbitrage bonds under Sections 141 or 148 of the Code or (ii) be treated other than as bonds the interest on which is excluded from gross income under Section 103 of the Code, and (b) the interest on such Tax-Exempt Bonds will not be an item of tax preference under Section 57 of the Code.

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

applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Fiscal Officer, as fiscal officer, or any other officer of the County having responsibility for the issuance of the Tax-Exempt Bonds is hereby authorized (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the County with respect to the Tax-Exempt Bonds as the County is permitted or required to make or give under the federal income tax laws, including, without limitation, any of the elections available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting the favorable tax treatment or status of the Tax-Exempt Bonds or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the County, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Tax-Exempt Bonds, and (c) to give one or more appropriate certificates of the County, for inclusion in the transcript of proceedings for the Bonds, setting forth the reasonable expectations of the County regarding the amount and use of all the proceeds of the Tax-Exempt Bonds, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment or status of the Tax-Exempt Bonds and interest thereon.

Each covenant made in this Section with respect to the Tax-Exempt Bonds is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Tax-Exempt Bonds (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Tax-Exempt Bonds from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this Section to take with respect to the Tax-Exempt Bonds.

SECTION 13. Certification and Delivery of Resolution and Certificate of Award. The Council Clerk is directed to deliver a certified copy of this Resolution and a signed copy of the Certificate of Award to the Fiscal Officer as soon as both are available.

SECTION 14. Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the County or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the County of Cuyahoga have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 11) of the County are pledged for the timely payment of the debt charges on the Bonds; and that no statutory or

constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 15. Retention of Bond Counsel. The legal services of Calfee, Halter & Griswold LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Bonds and the rendering of the necessary legal opinion upon the delivery of the Bonds. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the County in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the County or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services and in paying other financing costs in connection with the Bonds at the direction of the County.

The Council Clerk is authorized and directed to transmit a certified copy of this Resolution to the Prosecuting Attorney of the County, and this Council joins and shall join with the Prosecuting Attorney in any further required application or proceedings in connection with the retention of such legal services. The County Executive is authorized, on behalf of the County and in such officer's official capacity, to enter into a contract with that firm in a form approved by the Law Director upon the completion of any further required proceedings. The amount necessary to make those payments, to the extent not paid by the Original Purchasers pursuant to the Purchase Agreement, is hereby appropriated from the improvement fund, and the Fiscal Officer is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue appropriate orders for their timely payment as written statements are submitted by the firm.

SECTION 16. Open Meeting. This Council hereby finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in such formal action were held, in meetings open to the public, in compliance with all legal requirements including Section 121.22, Ohio Revised Code.

SECTION 17. Effective Date. It is necessary that this Resolution become immediately effective for the preservation of public peace, health, or safety in the County and any additional reasons set forth in the preamble, including to achieve a favorable interest rate for the Bonds based on current municipal bond market conditions. 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.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0198

<p>Sponsored by: County Executive Budish/Fiscal Officer and Department of Information Technology</p>	<p>A Resolution authorizing an amendment to Contract No. CE1500235-02 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to extend the time period to 12/31/2022, to change the terms, effective 10/1/2020; no additional funds required; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Fiscal Officer and Department of Information Technology has recommended an amendment to Contract No. CE1500235-02 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to extend the time period to 12/31/2022, to change the terms, effective 10/1/2020; no additional funds required; and

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

WHEREAS, the project is funded 100% by the Real Estate Assessment Fund; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1500235-02 with N. Harris Computer Corporation for software implementation services for the Real Property Tax System for the period 10/1/2015 - 9/30/2020 to extend the time period to 12/31/2022, to change the terms, effective 10/1/2020; no additional funds required.

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 Information Technology; RQ#27417; 2020-2022; N. Harris Computer Corporation; Contract 2nd Amendment; Software(Project Title)

A. Scope of Work Summary

1. Department of Information Technology requesting approval of a contract 2nd agreement with N. Harris Computer Corporation. This item is \$0. It is changing the pay structure.

The Project is not new to the County; prior Resolution number: R2015-0197 and R2016-0227

Describe the exact services being provided: continued software services for The Real Property Tax System. The anticipated start-completion dates are 10/01/2020 – 12/31/2022. Current contract is in effect through 9/30/2020.

2. The primary goals of the project are (list 2 to 3 goals).

- Software installation, testing, analysis, implementation, training of Go Live for Real Property Tax Systems
- Continued service delivery per milestones in the Statement of Work.

3. NA [*When applicable*] The project is mandated by (provide the ORC statute with section numbers, Cuyahoga County Charter, etc).

4. NA (When applicable) Technology Items - If the request is for the purchase of software or technical equipment:

- a) Please state the date of TAC Approval NA
- b) Are the purchases compatible with the new ERP system?
- c) Is the item ERP approved
- d) Are the services covered by the original ERP budget

B. Procurement

1. The initial procurement method for this project was aware on RFP 27417 on Resolution R2015--0197 on 10/13/2017 for software implementation services for Real Property Tax System in the amount of \$3,763,701.00. Subsequent 1st amendment approved on Resolution R2016-0227.

C. Contractor and Project Information

1. The address vendor is (provide the full address in the following format):

N. Harris Computer Corporation
1 Antares Drive Suite 400
Ottawa, Ontario Canada K2E8C4

2. The Executive Vice President for the vendor is Robert Wood. (

D. Project Status and Planning

1. The project is an extension of the existing project.

E. Funding

1. The project is funded 100% by the General Fund -Tax Assessment Contractual Services.
2. The schedule of payments is by invoice.
3. [he project is a 2nd amendment to a This amendment does not change the value, and extending the term through 12/31/2022, for continued services on software implementation and maintenance for The Real Services Property Systems.

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$3,763,701.00		10/1/2015 – 9/30/2020	10/13/2015	R2015-0197
Prior Amendment Amounts (list separately)		\$1,939,658.00	9/30/2020	1/10/2017	R2016-0227
Pending Amendment		\$0.00	10/1/2020-12/31/2022		

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

CONTRACT EVALUATION FORM

Contractor	N. Harris Computer Corporation				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1500235-02				
RQ#	27417				
Time Period of Original Contract	10/1/2015 – 9/30/2020				
Background Statement	Contract award on RFP#27417 for software implementation and services for the Real Property Tax System.				
Service Description	Software implementation, configuration, testing, training, maintenance and support for Real Property Tax Services.				
Performance Indicators	Contract Statement of Work and schedule of deliverables.				
Actual Performance versus performance indicators (include statistics):	Vendor has performed satisfactorily per the contract requirements.				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Project milestones satisfactorily met by the vendor.				
Department Contact					
User Department	Dept. of IT				
Date	9/2/2020				

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	
Infor/Lawson PO # Code:	CE1500235-02 N. Harris Computer Corp. 2 nd Amendment
Buyspeed RQ# (if applicable)	27417

	Department	Clerk of the Board
Briefing Memo	mn	

Late Submittal Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Why is the amendment being submitted late?	na	
What is being done to prevent this from reoccurring?	na	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				mn	AP
IG#	15-0146	31DEC2023		mn	AP
Annual Non-Competitive Bid Contract Statement	Date:	9/2020		mn	AP
Debarment/Suspension Verified	Date:	9/2020		mn	AP
Auditor’s Finding	Date:	9/2020		mn	AP
Vendor’s Submission	Signed Contract 2 nd Amendment			mn	AP
W-9 – <i>if required</i>	Tax ID#	98-0141520	Date: 9/2020	mn	AP
Independent Contractor (I.C.) Requirement	Date:	9/2020		mn	AP
Amendment and Exhibits				mn	AP
Cover - <i>Master amendments only</i>				na	AP
Contract Evaluation				mn	AP
Matrix Law approval screen shot				mn	AP
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				mn	AP
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				mn	AP
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				mn	AP
Checklist Verification				mn	AP

Other documentation may be required depending upon your specific item

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
10/01/2020 – 12/31/2020	FS305100	55130		\$0.00
01/01/2021 – 12/31/2021				\$0.00
01/01/2022 – 12/31/2022				\$0.00
			TOTAL	\$0.00

Current Contract History: CE/AG# (if applicable)	CE1500235
Infor/Lawson PO# Code:	CE1500235-01
BuySpeed or Lawson RQ# (if applicable)	27417

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$3,763,701.00		10/1/2015 – 9/30/2020	10/13/2015	R2015-0197
Prior Amendment Amounts (list separately)		\$1,939,658.00	9/30/2020	1/10/2017	R2016-0227
		\$			
		\$			
Pending Amendment		\$0.00	10/1/2020-12/31/2022		
Total Amendments		\$			
Total Contact Amount		\$5,703,359.00			

OPD Use Only:

Prior Resolutions:	R2015-0197; R2016-0227
Amend:	CONTRACT AMENDMENT NO. 2 CE1500235-02
Vendor Name:	N. HARRIS COMPUTER CORPORATION
ftp:	10-1-2015-9/30-2020 EXT 12/31/2022
Amount:	\$0.00 Changing the Pay Structure – No additional funds required.
History/CE:	OK
EL:	OK
Procurement	OK
Notes:	

OPD Buyer approval: **BUYER REVIEW COMPLETE. Contract Amendment #2. CC Attached Ok to proceed. AP 9/3/2020.**

2 | Page

Revised 6/15/2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0199

Sponsored by: County Executive Budish/Department of Health and Human Services/Cuyahoga Job and Family Services	A Resolution authorizing amendments to contracts with various providers for the Propel Cuyahoga - Workforce Services Program for the period 7/1/2019 - 6/30/2020 to extend the time period to 6/30/2021, to change the terms, effective 3/9/2020, and for additional funds; authorizing the County Executive to execute the amendments and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Health and Human Services/Cuyahoga Job and Family Services has recommended authorizing amendments to contracts with various providers for the Propel Cuyahoga - Workforce Services Program for the period 7/1/2019 - 6/30/2020 to extend the time period to 6/30/2021, to change the terms, effective 3/9/2020, and for additional funds as follows:

- a) No. CE1900202-01 with The Centers for Families and Children in the amount not-to-exceed \$2,912,110.29; and
- b) No. CE1900203-01 with Maximus Human Services Inc. in the amount not-to-exceed \$2,606,136.95; and

WHEREAS, the primary goals of this project are to increase: (a) employment attainment, (b) maintaining client eligibility, (c) matching to in-demand occupations, (d) retention of paid employment, and (e) wage and career advancement; and

WHEREAS, this project is funded 100% by Federal Temporary Assistance for Needy Families (TANF) funding; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes amendments to contracts with various providers for the Propel Cuyahoga - Workforce Services Program for the period 7/1/2019 - 6/30/2020 to extend the time period to 6/30/2021, to change the terms, effective 3/9/2020, and for additional funds as follows:

- a) No. CE1900202-01 with The Centers for Families and Children in the amount not-to-exceed \$2,912,110.29.
- b) No. CE1900203-01 with Maximus Human Services Inc. in the amount not-to-exceed \$2,606,136.95.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 2020

OnBase Item Detail Briefing Memo - Form

Title: CJFS HS-18-42974 2020 The Centers for Families and Children Contract Propel Cuyahoga – Workforce Services Program, Amendment #1

A. Scope of Work Summary

1. The Division of Cuyahoga Jobs and Family Services (CJFS) is requesting approval to amend contract CE1900202-01 with The Centers for Families and Children for the period of July 1, 2020 to June 30, 2021 for the anticipated cost of \$4,440,833.54.

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

R2019-0127

Describe the exact services being provided:

The agency will deliver comprehensive, equal access workforce, training and supportive services for low income residents of Cuyahoga County.

The anticipated start-completion dates are 07/01/2020 - 06/30/2021.

2. The primary goals of the project are:

- **Employment Attainment:** To increase the number and share of clients obtaining employment at family-sustaining wages, with benefits and paid leave, with opportunities to progress in a career.
- **Maintaining Client Eligibility:** To increase the rate of clients remaining compliant with their assistance program’s work requirements until they achieve self-sufficiency. Clients who do not complete their work requirements risk losing not only their public assistance, but also their workforce services.
- **Matching to In-Demand Occupations:** To increase clients finding positions in fields identified as in-demand in the regional economy when possible and appropriate.
- **Retention of Paid Employment:** To increase the rate of clients retaining their paid employment as they encounter personal or occupational challenges during employment, and to minimize periods of unintentional unemployment.
- **Wage and Career Advancement:** To increase the rate at which clients in stable employment achieve wage growth, promotion, and other forms of valuable skill advancement.

3. The project is mandated by ORC 5107.40 (D), and the Ohio Administrative Code, primarily 5101:1-3-01(F)(3).

4. (When applicable) Technology Items - If the request is for the purchase of software or technical equipment: N/A

- a) Please state the date of TAC Approval
- b) Are the purchases compatible with the new ERP system?
- c) Is the item ERP approved
- d) Are the services covered by the original ERP budget

N/A

B. Procurement

1. The procurement method for this original project was through a formal RFP process. The total value of the RFP was \$10,000,000.00.
2. The RFP was closed on October 19, 2018. There is not an SBE or DBE participation/goal.
3. [Option 1] There were 8 proposals pulled from OPD, 8 proposals submitted for review, 2 proposals approved.
4. [Option 2] The proposed (contract, loan, agreement, etc.) is an OPD approved sole source item with materials attached.

N/A

5. [Option 3] The proposed (contract, loan, agreement, etc.) received an (RFB, RFP, RFQ, or other [specify]) exemption on (list date). The approval letter is attached for review.

N/A

6. [Option 4] If an RFP Exemption is being requested please list the reason a competitive process was not utilized.

N/A

C. Contractor and Project Information

1. The address(es) of all vendors and/or contractors is:

The Centers for Families and Children
4500 Euclid Avenue
Cleveland, Ohio 44013
Council District (07)

2. The President and CEO for the contractor/vendor is Eric Morse.

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

Activities will be delivered primarily at:

- Virgil E. Brown, 1641 Payne Ave. Cleveland, Ohio 44114
- Gordon Square, 5209 Detroit Ave. Cleveland, Ohio 44102
- Midtown, 4500 Euclid Ave. Cleveland, Ohio 44103
- Downtown, 2450 Prospect. Ave. Cleveland, Ohio 44115

D. Project Status and Planning

1. The project reoccurs annually.

2. *[When applicable]* The project has (#) phases. The next steps, dates, and anticipated cost of these are (list each critical step and the date of start and completion).

N/A

3. *[When applicable]* The project is on a critical action path because (present the reason for the delay in the request or mitigating circumstances requiring expedited action).

N/A

4. *[When applicable]* The project's term has (already begun or ended). State the timeline and reason for late submission of the item.

N/A

5. *[When applicable]* The contract or agreement needs a signature in ink by (enter date).

N/A

E. Funding

1. The project is funded 100% by the Temporary Assistance for Needy Families (TANF).

2. The schedule of payments is by monthly invoice.

3. *[When applicable]* The project is an amendment to a (contract, loan, lease, grant, amendment, agreement, or other [specify]). This amendment changes (list the changes to the value, term, scope, etc.) and is the (x) amendment of the contract. The history of the amendments is: (list the year and associated value of each of the previous amendments).

N/A

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

Please reference the alternate procurement process and the Board of Control Approval Number for exemptions from aggregation on various requisitions to reimburse employers for employee wage and training expenses; to authorize payments to various providers for services, or to make award recommendations to various providers services.

N/A

CONTRACT EVALUATION FORM

Contractor	The Centers for Families and Children				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1900202-01				
RQ#	HS-18-42974				
Time Period of Original Contract	07/01/2019 – 06/30/2020				
Background Statement	In Cuyahoga County, programming efforts remain focused on the overall goal of helping low income families and individuals improve employment outcomes and support their families in addition to providing a variety of allowable work activities that will assist recipients in maintaining eligibility for public benefits. Programs offered to public assistance recipients provide effective work-focused activities that are appropriate for the characteristics of the individuals CJFS serves as well as provide supportive services necessary to enable recipients to engage in appropriate work activities.				
Service Description	The Provider shall operate a job skills center serving work-required public assistance recipients referred by the Agency. The Provider will provide a wide variety of short-term job readiness, job search, and job skills training in order to enhance participants' hard and soft work skills while assisting OWF/FAET eligible recipients referred by the Agency to comply with the work activity requirements.				
Performance Indicators	See page 3				
Actual Performance versus performance indicators (include statistics):	See page 3				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			

Justification of Rating	The Centers for Families and Children are currently meeting program expectations. Case file reviews observed the program to be consistent with the expected program design. CJFS will continue to provide technical assistance and support to ensure contracted services are of the highest quality for our clients.
Department Contact	Freda Houchins
User Department	Division of Contract Administration and Performance
Date	07/21/2020

Performance Measure	Benchmark	Q1	Q2	Q3	Q4	YTD
Successful Intake/Engagement: Participant will have a completed plan signed by staff and participant	95% of those referred will complete a plan	96% (255/266)	86% (236/273)	87% (125/143)	35% (114/328)	72% (730/1,010)
Participant Functioning: Participants achieving overall average scores = or <25 (measured on the BESI for 2 major barrier categories: Emotional and Physical Barriers and Career Decision-making and Planning indicators)	80% of those in the barrier-removal track	67% (4/6)	92% (12/13)	100% (11/11)	100% (7/7)	92% (34/37)
First Day Reporting Rate: Participants report to appropriate partner site on the scheduled date and time	75% of participants who complete Intake	84% (215/255)	86% (203/236)	72% (90/125)	158% (180/114)	94% (688/730)
Workplace Competency: Participants demonstrate workplace competencies such as attendance and appropriate dress	85% of those participating in long- term WEP or Job Readiness	78% (73/94)	97% (79/81)	93% (39/42)	48% (91/188)	70% (282/405)
Employment: Full or part time employment for five	70% of participants who begin the program	47% (34/73)	39% (31/79)	70% (29/39)	14% (13/91)	38% (107/282)

days	(excluding those referred to the ICM/SSI track)					
Satisfaction: Participants indicate Strongly Agree or Agree that they are satisfied overall with the services they received (please also indicate the # surveyed and # returned).	85% of clients active three weeks after intake.	92%	98%	96%	97%	96%
Job Retention (90 days): Participant retains part-time or full-time employment for 90 days	65% of those employed	N/A	62% (21/34)	90% (29/31)	100% (29/29)	84% (79/94)
Job Retention (180 days): Participant retains part-time or full-time employment for 180 days	60% of those employed	N/A	N/A	32% (11/34)	71% (22/31)	51% (33/65)

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A - Conversion
Infor/Lawson PO # Code:	CE1900202-01
Buyspeed RQ# (if applicable)	HS-18-42974

	Department	Clerk of the Board
Briefing Memo	FH	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	There were delays in determining the needed COVID-related modifications to process this amendment.	
What is being done to prevent this from reoccurring?	It was not possible to determine the COVID-related modifications any earlier. Changes will be forwarded as soon as possible.	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					
The Centers for Families and Children– Amendment #1			Department initials	OPD	
Justification Form			FH	OK	
IG#	12-0785		FH	OK	
Annual Non-Competitive Bid Contract Statement	Date:	6/10/2020	FH	OK	
Debarment/Suspension Verified	Date:	7/21/2020	FH	OK	
Auditor’s Finding	Date:	7/21/2020	FH	OK	
Vendor’s Submission			FH	OK	
W-9 – <i>if required</i>	Tax ID#	23-7084455	Date: 7/22/2020	FH	OK
Independent Contractor (I.C.) Requirement			Date: 6/8/2020	FH	OK
Amendment and Exhibits			FH	OK	
Cover - <i>Master amendments only</i>			N/A	N/A	
Contract Evaluation			FH	OK	
Matrix Law approval screen shot			FH	OK	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>			FH	Attached	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>			FH	Attached	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>			FH		
Checklist Verification			PJP	OK	

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: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
7/1/2020 – 12/31/2020	HS260195	55130	UCH08300	\$1,456,055.15
1/1/2021 – 6/30/2021	HS260195	55130	UCH08300	\$1,456,055,.14
			TOTAL	\$2,912,110.29

Current Contract History: CE/AG# (if applicable)	CE1900202-01
Infor/Lawson PO# Code:	CE1900202-01 CONV
BuySpeed or Lawson RQ# (if applicable)	HS-18-42974

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$4,440,833.54		7/1/19 – 6/30/20	6/25/2019	R2019-0127
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$2,912,110.29	7/1/2020 – 6/30/2021		
Total Amendments		\$			
Total Contact Amount		\$7,352,943.83			

OPD Use Only:

Prior Resolutions:	R2019-0127
Amend:	CE1900202-01
Vendor Name:	The Centers for Families and Children
ftp:	7/1/2019 – 6/30/2021; effective 3/9/2020
Amount:	\$2,912,110.29 MM
History/CE:	OK
EL:	OK
Procurement Notes:	LATE, late submission on Justification form and checklist. TN 8/24/2020.

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Buyer approval: OK to proceed with contract amendment AFTER Decert is approved. TN
8/24/2020

OnBase Item Detail Briefing Memo - Form

Title: CJFS HS-18-42974 2020/21 MAXIMUS Human Services Inc. Contract Propel Cuyahoga – Workforce Services Program - Amendment

A. Scope of Work Summary

1. CJFS is requesting approval of an amendment with MAXIMUS Human Services Inc. increase the total not to exceed amount by \$2,606,136.95 for a total not to exceed amount of \$5,212,273.91 and to extend the Term through June 30, 2021 and there are COVID-related modifications to the statement of work.

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

Original - \$2,606,136.96 - R2019-0127 – 06/25/19

Amend #1 - \$2,606,136.95 - Pending

Describe the exact services being provided:

The agency will deliver comprehensive, equal access workforce, training and supportive services for low income residents of Cuyahoga County.

The anticipated start-completion dates are (07/01/2020 - 06/30/2021).

2. The primary goals of the project are:

- **Employment Attainment:** To increase the number and share of clients obtaining employment at family-sustaining wages, with benefits and paid leave, with opportunities to progress in a career.
- **Maintaining Client Eligibility:** To increase the rate of clients remaining compliant with their assistance program’s work requirements until they achieve self-sufficiency. Clients who do not complete their work requirements risk losing not only their public assistance, but also their workforce services.
- **Matching to In-Demand Occupations:** To increase clients finding positions in fields identified as in-demand in the regional economy when possible and appropriate.
- **Retention of Paid Employment:** To increase the rate of clients retaining their paid employment as they encounter personal or occupational challenges during employment, and to minimize periods of unintentional unemployment.
- **Wage and Career Advancement:** To increase the rate at which clients in stable employment achieve wage growth, promotion, and other forms of valuable skill advancement.

3. The project is mandated by ORC 5107.40 (D), and the Ohio Administrative Code, primarily 5101:1-3-01(F)(3).

4. (When applicable) Technology Items - If the request is for the purchase of software or technical equipment:

- a) Please state the date of TAC Approval
- b) Are the purchases compatible with the new ERP system?
- c) Is the item ERP approved
- d) Are the services covered by the original ERP budget

N/A

B. Procurement

1. The procurement method for this project was through a formal RFP process. The total value of the RFP is \$10,000,000.00.

2. The RFP was closed on October 19, 2018. There is not an SBE or DBE participation/goal.

3. [Option 1] There were 8 proposals pulled from OPD, 8 proposals submitted for review, 2 proposals approved.

4. [Option 2] The proposed (contract, loan, agreement, etc.) is an OPD approved sole source item with materials attached.

N/A

5. [Option 3] The proposed (contract, loan, agreement, etc.) received an (RFB, RFP, RFQ, or other [specify]) exemption on (list date). The approval letter is attached for review.

N/A

6. [Option 4] If an RFP Exemption is being requested please list the reason a competitive process was not utilized.

N/A

C. Contractor and Project Information

1. The address(es) of all vendors and/or contractors is:

MAXIMUS Human Services Inc.
1891 Metro Center Drive
Reston, VA 20190
Council District (N/A)

2. The vice president for the contractor/vendor is Adam Polatnick.

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

Virgil E. Brown
1641 Payne Avenue
Cleveland, Ohio 44114

3.b. The project is located in Council District 07

D. Project Status and Planning

1. The project reoccurs annually.

2. [*When applicable*] The project has (#) phases. The next steps, dates, and anticipated cost of these are (list each critical step and the date of start and completion).

N/A

3. [*When applicable*] The project is on a critical action path because (present the reason for the delay in the request or mitigating circumstances requiring expedited action).

N/A

4. [*When applicable*] The project's term has (already begun or ended). State the timeline and reason for late submission of the item.

N/A

5. [*When applicable*] The contract or agreement needs a signature in ink by (enter date).

N/A

E. Funding

1. The project is funded 100% by the Temporary Assistance for Needy Families (TANF).

2. The schedule of payments is by monthly invoice.

3. [*When applicable*] The project is an amendment to a (contract, loan, lease, grant, amendment, agreement, or other [specify]). This amendment changes (list the changes to the value, term, scope, etc.) and is the (x) amendment of the contract. The history of the amendments is: (list the year and associated value of each of the previous amendments).

N/A

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

Please reference the alternate procurement process and the Board of Control Approval Number for exemptions from aggregation on various requisitions to reimburse employers for employee wage and training expenses; to authorize payments to various providers for services, or to make award recommendations to various providers services.

N/A

CONTRACT EVALUATION FORM

Contractor	Maximus Human Services, Inc.
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1900203-01
RQ#	HS-18-42974
Time Period of Original Contract	07/01/2019 – 06/30/2020
Background Statement	<p>The intense competition for even entry-level positions in the current local job market and the pervasive lack of basic “work maturity” skills among some public assistance recipients, necessitates the development of a competency-based unpaid work experience program. A high-quality program must address the issue of unemployment and assist participants to become “job ready” by reducing barriers to employment such as lack of soft skills and limited work histories. Since the onset of welfare reform, and more recently TANF reauthorization, Cuyahoga County has operated a variety of unpaid Work Experience Program (WEP) models in an attempt to emphasize hard and soft skill development as well as assist work-eligible individuals in complying with their participation requirements. The goal of WEP is to allow participants to practice the workplace skills necessary to be competitive in the real world of work. To this end, WEP is targeted toward individuals who would most benefit from a current work experience, a positive job reference, and enhanced work skills.</p> <p>The current CJFS work experience program serves OWF cash assistance recipients as well as Able-Bodied Adults Without Dependents (ABAWD). WEP staff work closely with CJFS staff to quickly schedule participants for orientation; place participants in worksites that align with their career goals or interests; monitor participant attendance and progress; and develop quality, meaningful worksites. While not a goal of the program, in some instances, participants are exposed to job openings at worksites and are encouraged to apply for permanent, paid employment. In all instances, participants are evaluated twice per month by their supervisor on a variety of workplace competencies to assess their “job readiness”. Feedback is provided to participants on hard and soft skill performance and developmental needs. Most program participants are engaged in WEP for three (3) to six (6) months. An individual is considered “completing” WEP when he/she meets or exceeds expectations for demonstrating soft and hard workplace skills over a sustained period of time. Emphasis is placed on immediate and continuous engagement of participants in high quality work and maintaining participants in the program until they have gained the skills necessary to compete in the world of work. Once a participant completes the WEP program and is determined to be “job ready”, he/she is offered job readiness/job search assistance through CJFS with the goal of obtaining permanent, paid employment and coming one step closer to economic self-sufficiency.</p>

<p>Service Description</p>	<p>Development Team has primary responsibility for conducting orientation, placement interviewing, and subsequent placement.</p> <ul style="list-style-type: none"> • An initial placement interview occurs on the same day as orientation. Career Mentors meet one-on-one with participants to learn more about their overall situation, existing skills competency, work style, interests, barriers, and level of work experience. This exchange establishes a baseline profile of the participant’s skills and workplace capacity that guides discussion for what type of worksite placement can best meet participation goals. The program uses industry standard tools to reveal appropriate skill-building sequencing. The entire process results in the participant selecting a career cluster – a general category of industry sectors used to organize the types of jobs and occupations that are available in that industry. • Once staff discover a participant’s sector-based job category, they identify the soft skill and workplace skill development needed to build capacity for a job in that industry sector. The goal is a workable activity plan combining practical skill gained from a worksite placement and competencies they need to improve in order to become job ready. Participants can use computer-based training modules to build their skills and competencies. • Once a placement has occurred, staff begin tracking retention and conduct follow-up to ensure a successful work experience. If problems arise, a certified social worker becomes involved as part of the EAP to provide more intensive support to participants on-site.
<p>Performance Indicators</p>	<p>Attendance, Job Ready, Program Retention, Participation Rate and Timely Worksite Placement.</p>

Actual Performance versus performance indicators (include statistics):	Performance Measure	Benchmark	Q1	Q2	Q3	Q4	YTD
	Job Ready: a score of 80% or better on the work readiness checklist	80% of those who completed Job Readiness or WEP	42%	12%	15%	22% (47 out of 216)	23%
	Job Placement: Full or part time employment for five days	70% of applicants deemed Job Ready	93%	56%	100% *	100% (108 out of 97)	83%
	Job Retention (90 days): Client retains paid employment for 90 days	65% of individuals placed	N/A	39%	56%	36% (35 out of 97)	44%
	Job Retention (180 days): Client retains paid employment for 180 days	60% of individuals placed	N/A	N/A	23%	23% (22 out of 97)	23%
	Participation Rate Achievement: Clients complete their assigned hours (AJR, sanctioned and post-partum clients are to be excluded)	60% of active caseload	61%	62%	63%	N/A Engaged 216	62%
	Client Satisfaction: Satisfaction with services provided	90% of survey respondents	86%	93%	97%	95%	93%
	Credential Training: Clients obtain HSD/GED, post-secondary degree, occupational skills certificate	65% of clients in education/training program	100%	54%	75%	42% (15 out of 36)	68%
	Wage Level: Clients earning at least \$2 above minimum wage	23% of placements that achieve 90-day retention	N/A	18%	29%	55% (11 out of 20)	34%
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor		
Select One (X)		X					
Justification of Rating	The PROPEL Program is a critical service for OWF and FAET applicants in need of soft skills, training and education. Maximus has met many of their benchmarks and participants involved in the program feel satisfied with the services provided.						
Department Contact	Chamomile Ware						
User Department	DCAP						
Date	7/21/2020						

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	
Infor/Lawson PO # Code:	CE1900203-01 CONV
Buyspeed RQ# (if applicable)	HS-18-42974

MAXIMUS Human Services Inc. CE1900203-01 Amend #1	Department	Clerk of the Board
Briefing Memo	DL	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Just received request to amend this contract. OPD Note: Per the department’s justification explanation – Amendment request not received until 5/28/2020, at which point it was already too late for a 7/1/20 start date. Delays in determining COVID-related modifications held up processing of the amendment.	
What is being done to prevent this from reoccurring?	Receive the request earlier. OPD Note: Per the department’s justification explanation – It was not possible to determine COVID-related modifications any earlier, per the department.	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					DL	OK
IG#	20-0152-REG exp 31DEC2024				DL	OK
Annual Non-Competitive Bid Contract Statement	Date:	7/21/2020			DL	OK (notary waived during COVID-19)
Debarment/Suspension Verified	Date:	07/20/2020			DL	OK
Auditor’s Finding	Date:	07/20/2020			DL	OK
Vendor’s Submission					DL	OK (signed amendment)
W-9 – if required	Tax ID#	45-0553376	Date:	03/16/2020	DL	OK
Independent Contractor (I.C.) Requirement			Date:	07/21/2020	DL	OK
Amendment and Exhibits					DL	OK
Cover - Master amendments only					N/A	OK
Contract Evaluation					DL	OK
Matrix Law approval screen shot						OK

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>	DL	Doc attached
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>	DL	Doc attached
Original Executed Contract (containing insurance terms) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>	DL	
Checklist Verification	DL	OK

Other documentation may be required depending upon your specific item

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
07/01/2020 – 12/31/2020	HS260195	55130	UCH08300	\$1,303,068.48
01/01/2021 – 12/31/2021	HS260195	55130	UCH08300	\$1,303,068.47
			TOTAL	\$2,606,136.95

Current Contract History: CE/AG# (if applicable)	CE1900203
Infor/Lawson PO# Code:	CE1900203-01 CONV
BuySpeed or Lawson RQ# (if applicable)	HS-18-42974

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$2,606,136.96		07/01/19 – 06/30/2020	06/25/19	R2019-0127
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$2,606,136.95	06/30/2021	Pending	Pending
Total Amendments		\$2,606,136.95			
Total Contact Amount		\$5,212,273.91			

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Use Only:

Prior Resolutions:	R2019-0127
Amend:	CE1900203
Vendor Name:	Maximus Human Services, Inc.
ftp:	7/1/2019-6/30/2020 EXT 6/30/2021, scope revisions effective 3/9/2020
Amount:	Add'l \$2,606,136.95mm
History/CE:	OK
EL:	OK
Procurement Notes:	

OPD Buyer approval: **OK, ssp 8/19/2020**

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0200

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an amendment to a Master Contract, including Agreement Nos. AG1700045-01–15 and Contract Nos. CE1700125-01–10, and CE1700126-01–11, with various providers for expansion of Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2017 - 7/31/2020 to extend the time period to 7/31/2021 and for additional funds in the total amount not-to-exceed \$3,188,462.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an amendment to a Master Contract, including Agreement Nos. AG1700045-01–15 and Contract Nos. CE1700125-01–10, and CE1700126-01–11, with various providers for expansion of Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2017 - 7/31/2020 to extend the time period to 7/31/2021 and for additional funds in the total amount not-to-exceed \$3,188,462.00 as follows:

- a) Bedford City School District
- b) Berea City School District
- c) Cleveland Heights-University Heights City School District – Noble Elementary School
- d) Cleveland Heights-University Heights City School District – Gearity Elementary School
- e) Cleveland Heights-University Heights City School District – Oxford Elementary School
- f) Cleveland Municipal School District – Clark Elementary School
- g) Cleveland Municipal School District – Garfield Elementary School
- h) Cleveland Municipal School District – Sunbeam Elementary School
- i) Cleveland Municipal School District – Willow Elementary School
- j) Cleveland Municipal School District – William Cullen Bryant Elementary School
- k) Euclid City School District
- l) Garfield Heights City Schools

- m) Lakewood City Schools
- n) Maple Heights City School District
- o) Warrensville Heights City School District
- p) Menorah Park Center for Senior Living Bet Moschav Zekenim Hadati
- q) HLC Euclid, LLC dba Horizon Learning Centers – Euclid
- r) Horizon Education Centers – Market Square
- s) Horizon Education Centers – Old Brooklyn
- t) Advanced Solutions for Education, Inc. dba Horizon Child Development Center – Cleveland
- u) Robbie Lawrence-Willis – Little Achiever’s Learning Center
- v) Murtis Taylor Human Services System – Glenville/KRT Child Enrichment Center
- w) Murtis Taylor Human Services System – Mt. Pleasant Child Enrichment Center
- x) The Salvation Army of Greater Cleveland
- y) St. Peter's Child Care Center Inc.
- z) Catholic Charities Corporation – Early Childhood Center at Arbor Park
- aa) Catholic Charities Corporation – Early Learning Program St. Ignatius
- bb) Catholic Charities Corporation – Rainbow Terrace Head Start
- cc) The Centers for Families and Children
- dd) Council for Economic Opportunities in Greater Cleveland – William Patrick Day Early Learning Center
- ee) Council for Economic Opportunities in Greater Cleveland – Willard Head Start Center
- ff) Council for Economic Opportunities in Greater Cleveland – Puritas Head Start Center
- gg) Council for Economic Opportunities in Greater Cleveland – Green Road Early Learning Center
- hh) Council for Economic Opportunities in Greater Cleveland – George Forbes Early Learning Center
- ii) Council for Economic Opportunities in Greater Cleveland – Carl B. Stokes Head Start Center
- jj) Kids and Such, Inc. dba Creative Kids

WHEREAS, the primary goal of this project is to increase the quantity of 3 to 5-year old children in the County participating in a high-quality pre-school experience; and

WHEREAS, this project is funded 100% by Health and Human Services Levy funds; and

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

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 Master Contract, including Agreement Nos. AG1700045-01–15 and Contract Nos. CE1700125-01–10, and CE1700126-01–11, with various providers for expansion of Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2017 - 7/31/2020 to extend the time period to 7/31/2021 and for additional funds in the total amount not-to-exceed \$3,188,462.00 as follows:

- a) Bedford City School District
- b) Berea City School District
- c) Cleveland Heights-University Heights City School District – Noble Elementary School
- d) Cleveland Heights-University Heights City School District – Gearity Elementary School
- e) Cleveland Heights-University Heights City School District – Oxford Elementary School
- f) Cleveland Municipal School District – Clark Elementary School
- g) Cleveland Municipal School District – Garfield Elementary School
- h) Cleveland Municipal School District – Sunbeam Elementary School
- i) Cleveland Municipal School District – Willow Elementary School
- j) Cleveland Municipal School District – William Cullen Bryant Elementary School
- k) Euclid City School District
- l) Garfield Heights City Schools
- m) Lakewood City Schools
- n) Maple Heights City School District
- o) Warrensville Heights City School District
- p) Menorah Park Center for Senior Living Bet Moschav Zekenim Hadati
- q) HLC Euclid, LLC dba Horizon Learning Centers – Euclid
- r) Horizon Education Centers – Market Square
- s) Horizon Education Centers – Old Brooklyn
- t) Advanced Solutions for Education, Inc. dba Horizon Child Development Center – Cleveland
- u) Robbie Lawrence-Willis – Little Achiever’s Learning Center
- v) Murtis Taylor Human Services System – Glenville/KRT Child Enrichment Center
- w) Murtis Taylor Human Services System – Mt. Pleasant Child Enrichment Center
- x) The Salvation Army of Greater Cleveland
- y) St. Peter's Child Care Center Inc.
- z) Catholic Charities Corporation – Early Childhood Center at Arbor Park
- aa) Catholic Charities Corporation – Early Learning Program St. Ignatius
- bb) Catholic Charities Corporation – Rainbow Terrace Head Start
- cc) The Centers for Families and Children
- dd) Council for Economic Opportunities in Greater Cleveland – William Patrick Day Early Learning Center

- ee) Council for Economic Opportunities in Greater Cleveland – Willard Head Start Center
- ff) Council for Economic Opportunities in Greater Cleveland – Puritas Head Start Center
- gg) Council for Economic Opportunities in Greater Cleveland – Green Road Early Learning Center
- hh) Council for Economic Opportunities in Greater Cleveland – George Forbes Early Learning Center
- ii) Council for Economic Opportunities in Greater Cleveland – Carl B. Stokes Head Start Center
- jj) Kids and Such, Inc. dba Creative Kids

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 _____
_____, 2020

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:

HHS: Office of Early Childhood/Invest in Children RQ#-17-38919 2020 Master Contract Amendment for UPK 2.0

A. Scope of Work Summary

1. **HHS: Office of Early Childhood/Invest in Children** is requesting approval of a amendment to a master contract for the anticipated cost \$3,188,462.

If the Project is not new to the County List the Prior Board Approval Number or Resolution Number. **R2017-0166**

Describe the exact services being provided.

UPK provides a high-quality preschool experience to children 3-, 4 and 5- (not yet in kindergarten) children by providing funds to existing childcare providers enabling them to offer a competitive rate of pay and benefits to their teachers, purchase supplies, equipment, training and development and enhanced activities. UPK also makes high quality preschool more accessible by providing scholarships based on income of up to 50% of the total cost of tuition.

The anticipated start-completion dates are 08/01/2020- 07/31/2021

2. The primary goals of the project are (list 2 to 3 goals).

- 1.) To assure that all 3- to 5-year-olds enrolled in a participating public or private preschool, child care center or family child care home receive care at a level of quality that promotes their development and readiness to enter kindergarten.
- 2.) Meet specific standards of quality, professional development, parent and family engagement, coordination with related systems, and accountability.

3. N/A The project is mandated by (provide the ORC statute with section numbers, Cuyahoga County Charter, etc).

(When applicable, Municipality of project)

4. N/A) Technology Items - If the request is for the purchase of software or technical equipment:

- a) Please state the date of TAC Approval
- b) Are the purchases compatible with the new ERP system?
- c) Is the item ERP approved
- d) Are the services covered by the original ERP budget

B. Procurement

1. The procurement method for this project was RFP. The total value of the RFP was \$9,565,386.00

2.The (above procurement method) was closed on March 10,2017. (*When applicable*) There is an SBE or DBE participation/goal (list the % of both).

3.[*Option 1*] There were (# bids/proposals/applications) pulled from OPD, (# bids/proposals/ applications) submitted for review, (# bids/proposals/applications) approved.

4.[*Option 2*] The proposed (contract, loan, agreement, etc.) is an OPD approved sole source item with materials attached.

5.[*Option 3*] The proposed (contract, loan, agreement, etc.) received an (RFB, RFP, RFQ, or other [specify]) exemption on (list date). The approval letter is attached for review.

6. [*Option 4*] If an RFP Exemption is being requested please list the reason a competitive process was not utilized. We are requesting an exemption to extend the master contract for UPK 2.0 another year to give us time to write the new RFP and to also combine the other UPK 2.0.1 program all under one unified UPK program.

C. Contractor and Project Information

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

Bedford City School District
Glendale Elementary School
400 West Glendale Rd.
Bedford, OH 44146

Berea City School District
Brook Park Memorial Elementary
16900 Holland Rd.
Brook Park, OH 44142

Catholic Charities Corporation
Arbor Park Head Start

3750 Fleming Ave.
Cleveland, OH, 44115

Catholic Charities Corporation
Rainbow Terrace Head Start
7255 Garden Valley
Cleveland, OH 44104

Catholic Charities Corporation
St. Ignatius Head Start
10205 Lorain Ave.
Cleveland, OH 44111

Catholic Charities Corporation
St. Philip Neri Head Start
799 E. 82nd St.
Cleveland, OH, 44102

Cleveland Heights University Heights City School District
Gearity Elementary School
2323 Wrenford Rd.
University Heights, OH 44118

Cleveland Heights University Heights City School District
Noble Elementary School
1293 Ardoon St.
Cleveland Heights, OH 44121

Cleveland Heights University Heights City School District
Oxford Elementary School
939 Quilliams Rd.
Cleveland Heights, OH 44121

Cleveland Municipal School District
Clark Elementary School
5550 Clark Ave.
Cleveland, OH, 44102

Cleveland Municipal School District
Garfield Elementary School
3800 W. 140th St.
Cleveland, OH, 44111

Cleveland Municipal School District

Sunbeam Elementary School
11731 Mt. Overlook Ave.
Cleveland, OH, 44120

Cleveland Municipal School District
William Cullen Bryant Elementary School
3121 Oak Park Ave.
Cleveland, OH 44109

Council for Economic Opportunities in Greater Cleveland
Carl B. Stokes Head Start
1883 Torbenson Ave.
Cleveland, OH, 44112

Council for Economic Opportunities in Greater Cleveland
George Forbes Early Learning Center
14209 Euclid Ave.
East Cleveland, OH 44112

Council for Economic Opportunities in Greater Cleveland
Green Road Early Learning Center
4329 Green Rd.
Highland Hills, OH 44122

Council for Economic Opportunities in Greater Cleveland
Puritas Head Start
14402 Puritas Ave.
Cleveland, OH, 44135

Council for Economic Opportunities in Greater Cleveland
Willard Head Start
2220 W. 95th St.,
Cleveland, OH, 44102

Council for Economic Opportunities in Greater Cleveland
William Patrick Day
2421 Community College Ave.
Cleveland, OH, 44115

Kids and Such, Inc. dba Creative Kids
4925 Pointe Parkway
Warrensville Heights, OH 44128

Euclid City Schools
Euclid Schools Early Learning Center
27000 Elinore Ave.
Euclid, OH 44132

Fundamental's Children's Center of Menorah Park Center for Senior Living
27100 Cedar Rd.
Beachwood, OH 44122

Garfield Heights City School District
William Foster Elementary School
12801 Bangor Ave.
Garfield Heights, OH 44125

Horizon Child Development Center LTD./Advanced Solutions for Education
Horizon Child Development Center- Cleveland
2285 Columbus Rd.
Cleveland, OH, 44113

HLC Euclid, LLC dba Horizon Learning Centers Euclid
1050 E. 200th Street
Euclid, OH 44117

Horizon Education Centers
Market Square Child Care Center
2500 W. 25th St.
Cleveland, OH, 44113

Horizon Education Centers
Old Brooklyn Child Care Center
4142 Pearl Rd.
Cleveland, OH, 44109

Lakewood City Schools
Harrison Early Learning Program
2080 Quail Ave.
Lakewood, OH 44107

Little Achiever's Learning Center
Cleveland Heights, OH 44112

Maple Heights City Schools
Lincoln Elementary School
6009 Dunham Rd.

Maple Heights, OH 44137

Murtis Taylor Human Services System
Glenville/KRT
900 E. 105th St.
Cleveland, OH 44108

Murtis Taylor Human Services System
Mt. Pleasant
13422 Kinsman Rd.
Cleveland, OH, 44120

The Salvation Army
Ohio City Preschool
4402 Clark Ave.
Cleveland, OH, 44109

St. Peter's Child Care Center Inc.
18001 Detroit Rd.
Lakewood, OH 44107

The Centers for Families & Children
Clifton Early Learning Center
13889 Clifton Blvd.
Lakewood, OH 44107

Warrensville Heights City School District
John Dewey Elementary School
23401 Emery Rd.
Warrensville Heights, OH 44128

2. The (owners, executive director, other[specify]) for the contractor/vendor is ()

3.a [When applicable] The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):

(Vendor/Contractor Name)

(Street Number and Name)

(City, State, and Zip Code)

3.b. [When applicable] The project is located in Council District County Wide

D. Project Status and Planning

1. The project is an extension of the existing project.

4. The project's term has will have ended by the time approval has been granted. State the time-line and reason for late submission of the item. It has been an monumental effort by many staff at Invest in Children working remotely to track down the multiple documents needed from the vendors to be able to submit the contract amendment. We have been working on this since the beginning of the year.

5. N/a The contract or agreement needs a signature in ink by (enter date).

E. Funding

1. The project is funded 100% by the Health and Human Services Levy.

2. The schedule of payments is by invoice.

3. The project is an amendment to a master contract. This amendment changes (list the changes to the value by increasing by \$3,188,462, extending the term to July 31, 2021. and is the 5th amendment of the contract. The history of the amendments is: (list the year and associated value of each of the previous amendments).

CON2018-90

BC2018-699

BC2018-938

BC2019-136

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

Please reference the alternate procurement process and the Board of Control Approval Number for exemptions from aggregation on various requisitions to reimburse employers for employee wage and training expenses; to authorize payments to various providers for family centered services and support wraparound program services, or to make award recommendations to various providers for toxicology services.

Contractor	Bedford City School District – Glendale Primary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-01				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Berea City School District – Brook Park Memorial Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-02				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Catholic Charities Corporation – Early Childhood Center at Arbor Park				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-01				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Catholic Charities Corporation – Early Learning Program St. Ignatius				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-02				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Catholic Charities Corporation – Rainbow Terrace				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-03				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Cleveland Heights University Heights City School District – Gearity Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-04				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Cleveland Heights University Heights City School District – Noble Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-03				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Cleveland Heights University Heights City School District – Oxford Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-05				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Cleveland Municipal School District – Clark Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-11				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Cleveland Municipal School District – Garfield Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-12				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Cleveland Municipal School District – Sunbeam Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-13				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Cleveland Municipal School District – Willow Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-14				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Cleveland Municipal School District – William Cullen Bryant Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-15				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Kids and Such, Inc. dba Creative Kids – Creative Kids				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-05				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Council for Economic Opportunities in Greater Cleveland – Carl B. Stokes Head Start Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-11				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Council for Economic Opportunities in Greater Cleveland – George Forbes Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-10				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Council for Economic Opportunities in Greater Cleveland – Green Road Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-09				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Council for Economic Opportunities in Greater Cleveland – Puritas Head Start Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-08				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Council for Economic Opportunities in Greater Cleveland – William Patrick Day Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-06				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Council for Economic Opportunities in Greater Cleveland – Willard Head Start Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-07				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Euclid City Schools - Euclid Schools Early Learning Village				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-06				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	FUNDamental's Children's Center of Menorah Park Center for Senior Living				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-01				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Garfield Heights City School District - William Foster Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-07				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Horizon Child Development Center- Cleveland (Advanced Solutions for Education) - Horizon Child Development Center - Cleveland				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-02				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	HLC Euclid, LLC dba Horizon Child Development Center - Horizon Child Development Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-03				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Horizon Education Centers – Market Square Horizon Education Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-04				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Horizon Education Centers – Old Brooklyn Horizon Education Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-05				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Lakewood City Schools - Harrison Early Learning Program				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-08				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Little Achiever's Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-06				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Maple Heights City Schools - Lincoln Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-09				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Murtis Taylor Human Services System - Murtis Taylor Child Enrichment Center Glenville/KRT				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-07				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Murtis Taylor Human Services System - Murtis Taylor Child Enrichment Center Mt. Pleasant				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-08				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	The Salvation Army of Greater Cleveland - Ohio City Preschool				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-09				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	St. Peter's Child Care Center Inc.				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700125-10				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	The Centers for Families & Children – Clifton Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700126-04				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	The Centers for Families & Children – Glenville Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700169				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Contractor	Warrensville Heights City School District - John Dewey Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1700045-10				
RQ#	UPK 2.0: EC – 17 - 38919				
Time Period of Original Contract	UPK 2.0: 8/1/17 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	July 20, 2020				

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-01 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely.	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like out current situation.	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6000220	Date:	7/09/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/18/2020	MRC	
Amendment and Exhibits					MRC	
<i>Cover - Master amendments only</i>						
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$197,562.00
			TOTAL	\$197,562.00

Current Contract History: CE/AG# (if applicable)	AG1700045-01
Infor/Lawson PO# Code:	AG1700045-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$197,562.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$119,810.00	8/1/2020-7/31/2021		
Total Amendments		\$119,810.00			
Total Contact Amount		\$317,372.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Buyer approval:

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Revised 6/15/2020

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-02 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely.	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like out current situation.	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission						
W-9 – <i>if required</i>	Tax ID#	34-6000245	Date:	7/16/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/4/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$471,900.00
			TOTAL	471,900.00

Current Contract History: CE/AG# (if applicable)	AG1700045-02
Infor/Lawson PO# Code:	AG1700045-02 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$471,900.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$159,810.00			
Total Amendments		\$159,810.00			
Total Contact Amount		\$631,710.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700126-01/02/03 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely.	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like out current situation.	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments

				Department initials	OPD
Justification Form				MRC	
IG#	12-0766			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	6/11/2020		MRC	
Debarment/Suspension Verified	Date:	7/14//2020		MRC	
Auditor’s Finding	Date:	7/16/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	34-1318541	Date: 5/13/2020	MRC	
Independent Contractor (I.C.) Requirement			Date: 5/27/2020	MRC	
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020 -suffix 01	HS260120	55130	UCH09999	\$378,420.00
August 1, 2017 – July 31, 2020 -suffix 02	HS260120	55130	UCH09999	\$885,000.00
August 1, 2017 – July 31, 2020 -suffix 03	HS260120	55130	UCH09999	\$454,524.00
			TOTAL	

Current Contract History: CE/AG# (if applicable)	CE1700126-01/02/03
Infor/Lawson PO# Code:	CE1700126-01/02/03 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$1,717,944.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$536,680.00			
Total Amendments		\$536,680.00			
Total Contact Amount		\$2,254,624.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-03/04/05 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like OUR current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/16/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6000687	Date:	7/7/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	1/21/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (containing insurance terms) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020 suffix 03	HS260120	55130	UCH09999	\$62,250.00
August 1, 2017 – July 31, 2020 suffix 04	HS260120	55130	UCH09999	\$382,200.00
August 1, 2017 – July 31, 2020 suffix 05	HS260120	55130	UCH09999	\$39,600.00
			TOTAL	

Current Contract History: CE/AG# (if applicable)	AG1700045-03/04/05
Infor/Lawson PO# Code:	AG1700045-03/04/05 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$484,050.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$196,130.00	8/1/2020-7/31/2021		
Total Amendments		\$196,130.00			
Total Contact Amount		\$680,180.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement	

Office of Procurement and Diversity – Required Documents Checklist

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Notes:	
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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-11/12/13/14/15 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like OUR current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6000662	Date:	1/8/2020	MRC	
Independent Contractor (I.C.) Requirement		Date:	7/8/2020		MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020 -suffix 11	HS260120	55130	UCH09999	\$45,000.00
August 1, 2017 – July 31, 2020-suffix 12	HS260120	55130	UCH09999	\$90,000.00
August 1, 2017 – July 31, 2020 -suffix 13	HS260120	55130	UCH09999	\$45,000.00
August 1, 2017 – July 31, 2020-suffix 14	HS260120	55130	UCH09999	\$38,250.00
August 1, 2017 – July 31, 2020 -suffix 15	HS260120	55130	UCH09999	\$45,000.00
			TOTAL	\$263,250.00

Current Contract History: CE/AG# (if applicable)	AG1700045-11/12/13/14/15
Infor/Lawson PO# Code:	AG1700045-11/12/13/14/15 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$263,250.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$241,112.00	8/1/2020-7/31/2021		
Total Amendments		\$241,112.00			
Total Contact Amount		\$504,362.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	

Office of Procurement and Diversity – Required Documents Checklist

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History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700126-06/07/08/09/10/11 CONV
BuySpeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely.	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation.	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-4036				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/16/2020		MRC		
Vendor’s Submission					N/A	
W-9 – if required	Tax ID#	34-0965350	Date:	1/1/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/24/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation						
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020 suffix 06	HS260120	55130	UCH09999	\$191,250.00
August 1, 2017 – July 31, 2020 suffix 07	HS260120	55130	UCH09999	\$373,800.00
August 1, 2017 – July 31, 2020 suffix 08	HS260120	55130	UCH09999	\$162,000.00
August 1, 2017 – July 31, 2020 suffix 09	HS260120	55130	UCH09999	\$270,000.00
August 1, 2017 – July 31, 2020 suffix 10	HS260120	55130	UCH09999	\$360,000.00
August 1, 2017 – July 31, 2020 suffix 11	HS260120	55130	UCH09999	\$616,500.00
			TOTAL	\$1,973,550.00

Current Contract History: CE/AG# (if applicable)	CE1700126-06/07/08/09/10/11
Infor/Lawson PO# Code:	CE1700126-06/07/08/09/10/11 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$1,973,550.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$440,960.00	8/1/2020-7/31/2021		
Total Amendments		\$440,960.00			
Total Contact Amount		\$2,414,510.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	

Office of Procurement and Diversity – Required Documents Checklist

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ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700126-05 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-0998				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	5/29/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/16/202		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1713004	Date:	5/29/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/29/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$159,870.00
			TOTAL	

Current Contract History: CE/AG# (if applicable)	CE1700126-05
Infor/Lawson PO# Code:	CE1700126-05 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$159,870.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$63,560.00	8/1/2020-7/31/2021		
Total Amendments		\$63,560.00			
Total Contract Amount		\$223,430.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-06 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6000963	Date:	4/20/2020	MRC	
Independent Contractor (I.C.) Requirement		Date:	5/29/2020		MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification						

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$711,000.00
			TOTAL	

Current Contract History: CE/AG# (if applicable)	AG1700045-06
Infor/Lawson PO# Code:	AG1700045-06 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$711,000.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$192,810.00	8/1/2020-7/31/2021		
Total Amendments		\$192,810.00			
Total Contact Amount		\$903,810.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700125-01
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-1877				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	6/18/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-0714443	Date:	2/2/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	6/17/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$427,500.00
			TOTAL	\$427,500.00

Current Contract History: CE/AG# (if applicable)	CE1700125-01
Infor/Lawson PO# Code:	CE1700125-01
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$427,500.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$77,560.00	8/1/2020-7/31/2021		
Total Amendments		\$77,560.00			
Total Contact Amount		\$505,060.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-07 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6001196	Date:	6/1/2020	MRC	
Independent Contractor (I.C.) Requirement				Date:	6/1/2020	MRC
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification						

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$149,250.00
			TOTAL	

Current Contract History: CE/AG# (if applicable)	AG1700045-07
Infor/Lawson PO# Code:	AG1700045-07 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$149,250.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$77,560.00	8/1/2020-7/31/2021		
Total Amendments		\$77,560.00			
Total Contact Amount		\$226,810.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700125-02
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	17-0059				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/28/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	30-0943106	Date:	7/8/2020	MRC	
Independent Contractor (I.C.) Requirement		Date:	7/8/2020		MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$69,600.00
			TOTAL	

Current Contract History: CE/AG# (if applicable)	CE1700125-02
Infor/Lawson PO# Code:	CE1700125-02
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$69,600.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$55,160.00	8/1/2020-7/31/2021		
Total Amendments		\$55,160.00			
Total Contact Amount		\$124,760.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700125-03
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	17-0059				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/28/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/16/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	37-1786547	Date:	4/28/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/28/2020	MRC	
Amendment and Exhibits						
Cover - <i>Master amendments only</i>						
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$100,980.00
			TOTAL	\$100,980.00

Current Contract History: CE/AG# (if applicable)	CE1700125-03
Infor/Lawson PO# Code:	CE1700125-03
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$100,980.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$24,160.00	8/1/2020-7/31/2021		
Total Amendments		\$24,160.00			
Total Contact Amount		\$125,140.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700125-04/05 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	20-0105				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1267458	Date:	3/5/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	7/8/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020 suffix -04	HS260120	55130	UCH09999	\$427,500.00
August 1, 2017 – July 31, 2020 suffix -05	HS260120	55130	UCH0999	\$402,900.00
			TOTAL	\$830,400.00

Current Contract History: CE/AG# (if applicable)	CE1700125-04/05
Infor/Lawson PO# Code:	CE1700125-04/05 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$830,400.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$325,620.00	8/1/2020-7/31/2021		
Total Amendments		\$325,620.00			
Total Contact Amount		\$1,156,020.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement	

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-08 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6001631	Date:	5/28/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/27/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$94,800.00
			TOTAL	

Current Contract History: CE/AG# (if applicable)	AG1700045-08
Infor/Lawson PO# Code:	AG1700045-08 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$94,800.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$38,160.00	8/1/2020-7/31/2021		
Total Amendments		\$38,160.00			
Total Contact Amount		\$132,960.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700125-06 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	15-0048				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	5/28/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	22-3932530	Date:	5/27/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/27/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification						

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$20,940.00
			TOTAL	

Current Contract History: CE/AG# (if applicable)	CE1700125-06
Infor/Lawson PO# Code:	CE1700125-06 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$20,940.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$16,100.00	8/1/2020-7/31/2021		
Total Amendments		\$16,100.00			
Total Contact Amount		\$37,040.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-09 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6001808	Date:	1/7/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/27/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (containing insurance terms) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$423,000.00
			TOTAL	\$423,000.00

Current Contract History: CE/AG# (if applicable)	AG1700045-09
Infor/Lawson PO# Code:	AG1700045-09 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$423,000.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$120,810.00	8/1/2020-7/31/2021		
Total Amendments		\$120,810.00			
Total Contact Amount		\$543,810.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700125-07/08 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD	
Justification Form					MRC		
IG#	12-1963				MRC		
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020			MRC		
Debarment/Suspension Verified	Date:	7/14/2020			MRC		
Auditor’s Finding	Date:	7/16/2020			MRC		
Vendor’s Submission					N/A		
W-9 – <i>if required</i>	Tax ID#	23-7158458	Date:	4/24/2020	MRC		
Independent Contractor (I.C.) Requirement		Date:	4/24/2020			MRC	
Amendment and Exhibits					MRC		
Cover - <i>Master amendments only</i>					MRC		
Contract Evaluation					MRC		
Matrix Law approval screen shot					MRC		
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC		
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC		
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC		
Checklist Verification					ROS		

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020-suffix 07	HS260120	55130	UCH09999	\$81,000.00
August 1, 2017 – July 31, 2020-suffix 08	HS260120	55130	UCH09999	\$258,600.00
			TOTAL	\$339,600.00

Current Contract History: CE/AG# (if applicable)	CE1700125-07/08
Infor/Lawson PO# Code:	CE1700125-07/08 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$339,600.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$84,720.00	8/1/2020-7/31/2021		
Total Amendments		\$84,720.00			
Total Contact Amount		\$424,320.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement	

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700125-09 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-1963				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/28/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	13-5562351	Date:	1/14/2020	MRC	
Independent Contractor (I.C.) Requirement	Date:	4/28/2020			MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$339,000.00
			TOTAL	\$339,000.00

Current Contract History: CE/AG# (if applicable)	CE1700125-09
Infor/Lawson PO# Code:	CE1700125-09 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$339,000.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$98,560.00	8/1/2020-7/31/2021		
Total Amendments		\$98,560.00			
Total Contact Amount		\$437,560.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Buyer approval:

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Revised 6/15/2020

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700125-10 CONV
BuySpeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-3406				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	5/13/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-0944637	Date:	4/27/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/27/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$461,490.00
			TOTAL	\$461,490.00

Current Contract History: CE/AG# (if applicable)	CE1700125-10
Infor/Lawson PO# Code:	CE1700125-10 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$461,490.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$112,810.00	8/1/2020-7/31/2021		
Total Amendments		\$112,810.00			
Total Contact Amount		\$574,300.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Buyer approval:

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Revised 6/15/2020

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1700126-04 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-0785				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	1/31/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/16/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	23-7084455	Date:	6/22/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	6/8/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (containing insurance terms) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$181,500.00
			TOTAL	\$181,500.00

Current Contract History: CE/AG# (if applicable)	CE1700126-04
Infor/Lawson PO# Code:	CE1700126-04 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$181,500.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$123,810.00	8/1/2020-7/31/2021		
Total Amendments		\$123,810.00			
Total Contact Amount		\$305,310.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1700045-10 CONV
Buyspeed RQ# (if applicable)	EC-17-38919

	Department	Clerk of the Board
Briefing Memo	Yes	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/16/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6002991	Date:	6/1/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/27/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification						

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2017 – July 31, 2020	HS260120	55130	UCH09999	\$148,200.00
			TOTAL	\$148,200.00

Current Contract History: CE/AG# (if applicable)	AG1700045-10
Infor/Lawson PO# Code:	AG1700045-10 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-17-38919

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$148,200.00		7/31/2020	9/26/2017	R2017-0166
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$82,560.00	8/1/2020-7/31/2021		
Total Amendments		\$82,560.00			
Total Contact Amount		\$230,760.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Buyer approval:

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0201

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an amendment to a Master Contract, including Agreement Nos. AG1800104-01 – AG1800106-01 and Contract Nos. CE1800261-01 – CE1800274-01 and CE1800277-01 – CE1800290-01, with various providers for Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2018 - 7/31/2020 to extend the time period to 7/31/2021 and for additional funds in the total amount not-to-exceed \$4,109,055.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Office of Early Childhood has recommended an amendment to a Master Contract, including Agreement Nos. AG1800104-01 – AG1800106-01 and Contract Nos. CE1800261-01 – CE1800274-01 and CE1800277-01 – CE1800290-01, with various providers for Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2018 - 7/31/2020 to extend the time period to 7/31/2021 and for additional funds in the total amount not-to-exceed \$4,109,055.00 as follows:

- a) Brooklyn City School District – Brooklyn Preschool
- b) Catholic Charities Corporation – King Kennedy Head Start
- c) Catholic Charities Corporation – Parkview Head Start
- d) Catholic Charities Corporation – Riverside Head Start
- e) Catholic Charities Corporation – St. Philip Neri Head Start
- f) Catholic Charities Corporation – St. Thomas Aquinas
- g) Cirque du Kids, LLC
- h) Cleveland Children’s Daycare Academy, LLC
- i) Cleveland Municipal School District – Tremont Montessori School
- j) Council for Economic Opportunities in Greater Cleveland – Lakeview Terrace Head Start Center
- k) Council for Economic Opportunities in Greater Cleveland – Outhwaite Head Start Center

- l) Council for Economic Opportunities in Greater Cleveland – Union-Miles Head Start Center
- m) Council for Economic Opportunities in Greater Cleveland – Villa Head Start Center
- n) Early Childhood Enrichment Center, Inc.
- o) East Cleveland City School District – Superior Elementary School
- p) Gannon Gil Preschool of the Temple-Tifereth Israel, Inc.
- q) Hanna Perkins School
- r) Horizon Education Centers – North Olmsted Horizon Education Center
- s) Horizon Education Centers – Family Life Child Care Center of Lakewood
- t) Horizon Education Centers – Family Life Child Care Center of Berea
- u) Kiddie City Child Care Community, Inc.
- v) PM Foundation, Inc. dba Urban Community School
- w) Sandy’s Darlin’ Munchkins Family Child Care Home and Universal Pre-Kindergarten
- x) The Centers for Families and Children – Bingham Early Learning Center
- y) The Centers for Families and Children – Debra Ann November Early Learning Center
- z) The Centers for Families and Children – Gordon Square Early Learning Center
- aa) The Centers for Families and Children – McMillan Early Learning Center
- bb) The Centers for Families and Children – Wade Early Learning Center
- cc) The Cleveland Music School Settlement
- dd) The Merrick House
- ee) The Young Women’s Christian Association of Greater Cleveland, Ohio; and

WHEREAS, the primary goal of this project is to increase the quantity of 3 to 5-year old children in the County participating in a high-quality pre-school experience; and

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

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

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 Master Contract, including Agreement Nos. AG1800104-01 – AG1800106-01 and Contract Nos. CE1800261-01 – CE1800274-01 and CE1800277-01 – CE1800290-01, with various providers for Universal Pre-Kindergarten in Cuyahoga County for the period 8/1/2018 - 7/31/2020 to extend the time period to 7/31/2021 and for additional funds in the total amount not-to-exceed \$4,109,055.00 as follows:

- a) Brooklyn City School District – Brooklyn Preschool
- b) Catholic Charities Corporation – King Kennedy Head Start
- c) Catholic Charities Corporation – Parkview Head Start
- d) Catholic Charities Corporation – Riverside Head Start
- e) Catholic Charities Corporation – St. Philip Neri Head Start
- f) Catholic Charities Corporation – St. Thomas Aquinas
- g) Cirque du Kids, LLC
- h) Cleveland Children’s Daycare Academy, LLC
- i) Cleveland Municipal School District – Tremont Montessori School
- j) Council for Economic Opportunities in Greater Cleveland – Lakeview Terrace Head Start Center
- k) Council for Economic Opportunities in Greater Cleveland – Outhwaite Head Start Center
- l) Council for Economic Opportunities in Greater Cleveland – Union-Miles Head Start Center
- m) Council for Economic Opportunities in Greater Cleveland – Villa Head Start Center
- n) Early Childhood Enrichment Center, Inc.
- o) East Cleveland City School District – Superior Elementary School
- p) Gannon Gil Preschool of the Temple-Tifereth Israel, Inc.
- q) Hanna Perkins School
- r) Horizon Education Centers – North Olmsted Horizon Education Center
- s) Horizon Education Centers – Family Life Child Care Center of Lakewood
- t) Horizon Education Centers – Family Life Child Care Center of Berea
- u) Kiddie City Child Care Community, Inc.
- v) PM Foundation, Inc. dba Urban Community School
- w) Sandy’s Darlin’ Munchkins Family Child Care Home and Universal Pre-Kindergarten
- x) The Centers for Families and Children – Bingham Early Learning Center
- y) The Centers for Families and Children – Debra Ann November Early Learning Center
- z) The Centers for Families and Children – Gordon Square Early Learning Center
- aa) The Centers for Families and Children – McMillan Early Learning Center
- bb) The Centers for Families and Children – Wade Early Learning Center
- cc) The Cleveland Music School Settlement
- dd) The Merrick House
- ee) The Young Women’s Christian Association of Greater Cleveland, Ohio

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 _____
_____, 2020

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:

HHS: Office of Early Childhood/Invest in Children RQ#-41540 2020 Master Contract Amendment for UPK 2.0.1

A. Scope of Work Summary

1. **HHS: Office of Early Childhood/Invest in Children** is requesting approval of a amendment to a master contract for the anticipated cost \$4,109,055.00

If the Project is not new to the County List the Prior Board Approval Number or Resolution Number. **R2018-0153**

Describe the exact services being provided.

UPK provides a high-quality preschool experience to children 3-, 4 and 5- (not yet in kindergarten) children by providing funds to existing childcare providers enabling them to offer a competitive rate of pay and benefits to their teachers, purchase supplies, equipment, training and development and enhanced activities. UPK also makes high quality preschool more accessible by providing scholarships based on income of up to 50% of the total cost of tuition.

The anticipated start-completion dates are 08/01/2020- 07/31/2021

2. The primary goals of the project are (list 2 to 3 goals).

- 1.) To assure that all 3- to 5-year-olds enrolled in a participating public or private preschool, child care center or family child care home receive care at a level of quality that promotes their development and readiness to enter kindergarten.
- 2.) Meet specific standards of quality, professional development, parent and family engagement, coordination with related systems, and accountability.

3. N/A The project is mandated by (provide the ORC statute with section numbers, Cuyahoga County Charter, etc).

(When applicable, Municipality of project)

4. N/A) Technology Items - If the request is for the purchase of software or technical equipment:

- a) Please state the date of TAC Approval
- b) Are the purchases compatible with the new ERP system?
- c) Is the item ERP approved
- d) Are the services covered by the original ERP budget

B. Procurement

1. The procurement method for this project was RFP. The total value of the RFP was \$9,565,386.00

2.The (above procurement method) was closed on March 12,2018. (*When applicable*) There is an SBE or DBE participation/goal (list the % of both).

3.[*Option 1*] There were (# bids/proposals/applications) pulled from OPD, (# bids/proposals/ applications) submitted for review, (# bids/proposals/applications) approved.

4.[*Option 2*] The proposed (contract, loan, agreement, etc.) is an OPD approved sole source item with materials attached.

5.[*Option 3*] The proposed (contract, loan, agreement, etc.) received an (RFB, RFP, RFQ, or other [specify]) exemption on (list date). The approval letter is attached for review.

6. [*Option 4*] If an RFP Exemption is being requested please list the reason a competitive process was not utilized. We are requesting an exemption to extend the master contract for UPK 2.0.1 another year to give us time to write the new RFP and to also combine the other UPK 2.0 program all under one unified UPK program.

C. Contractor and Project Information

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

Brooklyn City School District
9200 Biddulph Rd.
Brooklyn, OH, 44144

Catholic Charities Corporation
Parkview Head Start
5210 Loya Parkway
Parma, OH 44134

Catholic Charities Corporation
King Kennedy Head Start
2511 E. 61st Street

Cleveland, OH 44104

Catholic Charities Corporation
Riverside Head Start
17800 Parkmount Ave.
Cleveland, OH, 44135

Catholic Charities Corporation
St. Philip Neri Head Start
799 E. 82nd St.
Cleveland, OH, 44102

Cirque du Kids
8706 Garfield Rd.
Garfield Hts., OH 44125

Cleveland Children's Daycare Academy
5739 Chevrolet Blvd.
Parma, OH 44136

Cleveland Municipal School District
Tremont Montessori School
2409 W. 10th St.
Cleveland, OH, 44113

Council for Economic Opportunities in Greater Cleveland
Lakeview Head Start Center
1290 W. 25th Street
Cleveland, OH, 44119

Council for Economic Opportunities in Greater Cleveland
Outhwaite Head Start
4302 Quincy Ave.
Cleveland, OH, 44103

Council for Economic Opportunities in Greater Cleveland
Union-Miles Head Start
9250 Miles Park Ave.
Cleveland, OH, 44105

Council for Economic Opportunities in Greater Cleveland
Villa Head Start
5620 Broadway Ave.
Cleveland, OH, 44127

Early Childhood Enrichment Center
19824 Sussex Rd.
Shaker Hts., OH, 44122

East Cleveland School District
Superior Elementary School
1865 Garfield Rd.
East Cleveland, OH, 44112

Ganon Gil Preschool of the Temple Tifereth Israel, Inc.
26000 Shaker Blvd.
Beachwood, OH, 44122

Hanna Perkins School
19910 Malvern Rd.
Shaker Hts., OH, 44122

Horizon Education Centers
Berea Child Care Center
555 W. Bagley Rd.
Berea OH, 44017

Horizon Education Centers
Lakewood Child Care Center
13523 Detroit Ave.
Lakewood, OH, 44107

Horizon Education Centers
North Olmsted Child Care Center
4001 David Dr.
North Olmsted, OH 44070

Kiddie City Child Care Community, Inc.
280 E. 206th Street
Euclid, OH 44123

PM Foundation, Inc. dba Urban Community School
4909 Lorain Ave.
Cleveland, OH, 44102

Sandy's Darlin Munchkins Family Child Care Home
Cleveland Heights, OH, 44121

The Centers for Families and Children
Bingham Early Learning Center
2421 Central Ave.
Cleveland, OH, 44115

The Centers for Families and Children
Debra Ann November Early Learning Center
Maple Heights Branch - Cuyahoga County Public Library
5225 Library Lane
Maple Heights, OH 44137

The Centers for Families and Children
Gordon Square Early Learning Center
5209 Detroit Ave.
Cleveland, OH, 44102

The Centers for Families and Children
McMillian Early Learning Center
1941 S. Taylor Rd.
Cleveland Heights, OH, 44118

The Centers for Families and Children
Wade Early Learning Center
9111 Yale Ave.
Cleveland, OH, 44108

The Cleveland Music School Settlement
11125 Magnolia Dr.
Cleveland, OH, 44106

The Merrick House
1050 Starkweather Ave.
Cleveland, OH, 44113

The Young Women's Christian Association of Greater Cleveland, Ohio
YWCA Early Learning Center
4019 Prospect Ave.
Cleveland, OH, 44103

2. The (owners, executive director, other[specify]) for the contractor/vendor is ()

3.a *N/A* The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):
(Vendor/Contractor Name)

(Street Number and Name)
(City, State, and Zip Code)

3.b. [*When applicable*] The project is located in Council District County Wide

D. Project Status and Planning

1. The project is an extension of the existing project.

4. The project's term has will have ended by the time approval has been granted. State the time-line and reason for late submission of the item. It has been a monumental effort by many staff at Invest in Children working remotely to track down the multiple documents needed from the vendors to be able to submit the contract amendment. We have been working on this since the beginning of the year.

5. N/A The contract or agreement needs a signature in ink by (enter date).

E. Funding

1. The project is funded 100% by the Health and Human Services Levy.

2. The schedule of payments is by invoice.

3. The project is an amendment to a master contract. This amendment changes (list the changes to the value, term, and is the (x) amendment of the contract. The history of the amendments is: (list the year and associated value of each of the previous amendments).

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

Please reference the alternate procurement process and the Board of Control Approval Number for exemptions from aggregation on various requisitions to reimburse employers for employee wage and training expenses; to authorize payments to various providers for family centered services and support wraparound program services, or to make award recommendations to various providers for toxicology services.

Contractor	Brooklyn City School District				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1800106				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Catholic Charities Corporation - King Kennedy Head Start				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800281				
RQ#	EC – 18 - 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Catholic Charities Corporation - Parkview Head Start				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800282				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Catholic Charities Corporation - Riverside Head Start				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800283				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Catholic Charities Corporation - St. Philip Neri Head Start				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800284				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Catholic Charities Corporation - St. Thomas Aquinas Head Start				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800285				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Cirque du Kids, LLC				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800272				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Cleveland Children's Daycare Academy, LLC				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800274				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/2				

Contractor	Cleveland Municipal School District - Tremont Montessori School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1800105				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/2				

Contractor	Council for Economic Opportunities in Greater Cleveland - Buckeye Head Start Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800276				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Council for Economic Opportunities in Greater Cleveland - Lakeview Terrace Head Start				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800277				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Council for Economic Opportunities in Greater Cleveland - Outhwaite Head Start Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800278				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Council for Economic Opportunities in Greater Cleveland - Union-Miles Head Start Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800279				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Council for Economic Opportunities in Greater Cleveland - Villa Head Start Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800280				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Early Childhood Enrichment Center, Inc.				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800273				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	East Cleveland School District - Superior Elementary School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1800104				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Ganon Gil Preschool of the Temple-Tifereth Israel, Inc.				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800263				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Hanna Perkins School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800261				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Horizon Education Centers - North Olmsted Horizon Education Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800262				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Kiddie City Child Care Community, Inc.				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800264				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	PM Foundation, Inc. dba Urban Community School				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800266				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	Sandy's Darlin' Munchkins Family Child Care Home and Universal Pre-Kindergarten				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800267				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	The Centers for Families and Children - Bingham Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800286				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	The Centers for Families and Children -Debra Ann November Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800287				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	The Centers for Families and Children -Gordon Square Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800288				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	The Centers for Families and Children -McMillan Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800289				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	The Centers for Families and Children -Wade Early Learning Center				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800290				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	The Cleveland Music School Settlement				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800268				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	The Merrick House				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800265				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio’s Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement “boy friendly” strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio’s ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children’s eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@ifs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Contractor	The Young Women's Christian Association of Greater Cleveland, Ohio				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800269				
RQ#	EC – 18- 41540				
Time Period of Original Contract	8/1/18 – 7/31/20				
Background Statement					
Service Description	To assure that all 3 to 5 year olds enrolled receive care at a level of quality that is high enough to promote their development and encourage their readiness to enter kindergarten and to insure that educators meet specific standards of quality and accountability, professional development, coordinate with parents and families and related systems.				
Performance Indicators	<ul style="list-style-type: none"> • Provide developmentally appropriate activities and experiences that are aligned with Ohio's Early Learning Content Standards (ELDS). • Provide professional development opportunities for staff. • Develop and implement an Action Plan to engage families in the program. • Implement "boy friendly" strategies in classroom and have strategies visibly posted in classroom. • Link families with the appropriate resources as needed. • Develop and implement a program improvement plan based on the results of on-site monitoring and classroom observations. 				
Actual Performance versus performance indicators (include statistics):	<ul style="list-style-type: none"> • The provider completely developmentally appropriate lesson plans and indicated alignment with Ohio's ELDS. • Evidence of participation in on-going professional development was available during on-site monitoring. • Evidence of maintenance of accurate student personnel, medical documentation, screening and assessment files were available during on-site monitoring. • Referrals for service were documented in COPA in a timely manner. • Corrective action plans were submitted as required and the program developed and implemented a program improvement plan. 				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Each center is monitored annually by the staff from the Office of Early Childhood. Here are some results from the monitoring report: All classrooms made a point to place the students daily schedule at children's eye level. The center administrator monitors the teachers professional development plans closely to ensure that all teachers are current with Step Up To Quality training and ELDS training.				
Department Contact	Marcos Cortes Marcos.cortes@jfs.ohio.gov				
User Department	HHS: Community Initiatives: Office of Early Childhood/Invest in Children				
Date	7/20/20				

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1800106-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/17/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6000346	Date:	9/23/2019	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/8/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

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: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$126,500.00
			TOTAL	\$126,500.00

Current Contract History: CE/AG# (if applicable)	AG1800106-01
Infor/Lawson PO# Code:	AG1800106-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$126,500.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$80,500.00	8/1/2020-7/31/2021		
Total Amendments		\$80,500.00			
Total Contact Amount		\$207,000.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800281-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-0766				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	6/11/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1318541	Date:	5/13/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/27/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (containing insurance terms) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$155,844.00
			TOTAL	\$155,844.00

Current Contract History: CE/AG# (if applicable)	CE1800281-01
Infor/Lawson PO# Code:	CE1800281-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$155,844.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$86,500.00	8/1/2020-7/31/2021		
Total Amendments		\$86,500.00			
Total Contact Amount		\$242,344.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800282-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	12-0766			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	6/11/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	34-1318541	Date: 5/13/2020	MRC	
Independent Contractor (I.C.) Requirement			Date: 5/27/2020	MRC	
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$408,776.00
			TOTAL	\$408,776.00

Current Contract History: CE/AG# (if applicable)	CE1800282-01
Infor/Lawson PO# Code:	CE1800282-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$408,776.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$164,000.00	8/1/2020-7/31/2021		
Total Amendments		\$164,000.00			
Total Contact Amount		\$572,776.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800284-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	12-0766			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	6/11/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	34-1318541	Date:	5/13/2020	MRC
Independent Contractor (I.C.) Requirement				Date:	5/27/2020
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$219,632.00
			TOTAL	\$219,632.00

Current Contract History: CE/AG# (if applicable)	CE1800284-01
Infor/Lawson PO# Code:	CE1800284-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$219,632.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$118,000.00	8/1/2020-7/31/2021		
Total Amendments		\$118,000.00			
Total Contact Amount		\$337,632.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800283-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-0766				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	6/11/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/17/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1318541	Date:	5/13/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/27/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$80,940.00
			TOTAL	\$80,940.00

Current Contract History: CE/AG# (if applicable)	CE1800283-01
Infor/Lawson PO# Code:	CE1800283-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$80,940.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$45,463.00	8/1/2020-7/31/2021		
Total Amendments		\$45,463.00			
Total Contact Amount		\$126,403.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800272-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	18-0059			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/27/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	29-2859820	Date:	4/23/2020	MRC
Independent Contractor (I.C.) Requirement				Date:	4/23/2020
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$66,640.00
			TOTAL	\$66,640.00

Current Contract History: CE/AG# (if applicable)	CE1800272-01
Infor/Lawson PO# Code:	CE1800272-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$66,640.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$40,783.00	8/1/2020-7/31/2021		
Total Amendments		\$40,783.00			
Total Contact Amount		\$107,423.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800274-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	15-0122			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	5/1/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	26-1693919	Date: 4/30/2020	MRC	
Independent Contractor (I.C.) Requirement			Date: 4/30/2020	MRC	
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$278,286.00
			TOTAL	\$278,286.00

Current Contract History: CE/AG# (if applicable)	CE1800274-01
Infor/Lawson PO# Code:	CE1800274-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$278,286.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$128,000.00	8/1/2020-7/31/2021		
Total Amendments		\$128,000.00			
Total Contact Amount		\$402,286.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1800105 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	N/A			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	34-6000662	Date:	1/8/2020	MRC
Independent Contractor (I.C.) Requirement			Date:	6/23/2020	MRC
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$187,500.00
			TOTAL	\$187,500.00

Current Contract History: CE/AG# (if applicable)	AG1800105
Infor/Lawson PO# Code:	AG1800105 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$187,500.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$129,000.00	8/1/2020-7/31/2021		
Total Amendments		\$129,000.00			
Total Contact Amount		\$316,500.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800277-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	12-4036			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	34-0965350	Date: 1/1/2020	MRC	
Independent Contractor (I.C.) Requirement			Date: 4/24/2020	MRC	
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$60,000.00
			TOTAL	\$60,000.00

Current Contract History: CE/AG# (if applicable)	CE1800277-01
Infor/Lawson PO# Code:	CE1800277-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$60,000.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$35,463.00	8/1/2020-7/31/2021		
Total Amendments		\$35,463.00			
Total Contact Amount		\$95,463.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800278-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	12-4036			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	34-0965350	Date: 1/1/2020	MRC	
Independent Contractor (I.C.) Requirement			Date: 4/24/2020	MRC	
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$85,000.00
			TOTAL	\$85,000.00

Current Contract History: CE/AG# (if applicable)	CE1800278-01
Infor/Lawson PO# Code:	CE1800278-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$85,000.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$42,463.00	8/1/2020-7/31/2021		
Total Amendments		\$42,463.00			
Total Contact Amount		\$127,463.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800279-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-4036				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-0965350	Date:	1/1/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/24/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$172,500.00
			TOTAL	\$172,500.00

Current Contract History: CE/AG# (if applicable)	CE1800279-01
Infor/Lawson PO# Code:	CE1800279-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$172,500.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$83,500.00	8/1/2020-7/31/2021		
Total Amendments		\$83,500.00			
Total Contact Amount		\$256,000.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800280-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-4036				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/17/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-0965350	Date:	1/1/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/24/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$87,500.00
			TOTAL	\$87,500.00

Current Contract History: CE/AG# (if applicable)	CE1800280-01
Infor/Lawson PO# Code:	CE1800280-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$87,500.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$45,463.00	8/1/2020-7/31/2021		
Total Amendments		\$45,463.00			
Total Contact Amount		\$132,963.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800273-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-1172				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/28/2020			MRC	
Debarment/Suspension Verified	Date:	7/14/2020			MRC	
Auditor’s Finding	Date:	7/17/2020			MRC	
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1149833	Date:	4/27/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/28/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$513,558.00
			TOTAL	\$513,558.00

Current Contract History: CE/AG# (if applicable)	CE1800273-01
Infor/Lawson PO# Code:	CE1800273-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$513,558.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$374,000.00	8/1/2020-7/31/2021		
Total Amendments		\$374,000.00			
Total Contact Amount		\$887,558.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	AG1800104-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	N/A				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	N/A		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6000088	Date:	4/29/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/29/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$187,500.00
			TOTAL	\$187,500.00

Current Contract History: CE/AG# (if applicable)	AG1800104-01
Infor/Lawson PO# Code:	AG1800104-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$187,500.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$97,500.00	8/1/2020-7/31/2021		
Total Amendments		\$97,500.00			
Total Contact Amount		\$285,000.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800263-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	16-0271				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/27/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-0714713	Date:	4/24/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/30/2020	MRC	
Amendment and Exhibits					MRC	
<i>Cover - Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$201,740.00
			TOTAL	\$201,740.00

Current Contract History: CE/AG# (if applicable)	CE1800263-01
Infor/Lawson PO# Code:	CE1800263-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$201,740.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$106,500.00	8/1/2020-7/31/2021		
Total Amendments		\$106,500.00			
Total Contact Amount		\$308,240.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800261-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-1446				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/27/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1269765	Date:	4/23/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/27/2020	MRC	
Amendment and Exhibits					MRC	
<i>Cover - Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$41,840.00
			TOTAL	\$41,840.00

Current Contract History: CE/AG# (if applicable)	CE1800261-01
Infor/Lawson PO# Code:	CE1800261-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$41,840.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$36,463.00	8/1/2020-7/31/2021		
Total Amendments		\$36,463.00			
Total Contact Amount		\$78,303.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800262-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	20-0105				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1267458	Date:	3/5/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	7/8/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$613,940.00
			TOTAL	\$613,940.00

Current Contract History: CE/AG# (if applicable)	CE1800262-01
Infor/Lawson PO# Code:	CE1800262-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$613,940.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$329,000.00	8/1/2020-7/31/2021		
Total Amendments		\$329,000.00			
Total Contact Amount		\$942,940.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800271-02 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	20-0105				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1267458	Date:	3/5/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	7/8/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$0.00
			TOTAL	\$0.00

Current Contract History: CE/AG# (if applicable)	CE1800271-02
Infor/Lawson PO# Code:	CE1800271-02 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$0.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$488,000.00	8/1/2020-7/31/2021		
Total Amendments		\$488,000.00			
Total Contact Amount		\$488,000.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800270-02 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	20-0105				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1267458	Date:	3/5/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	7/8/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$0.00
			TOTAL	\$0.00

Current Contract History: CE/AG# (if applicable)	CE1800270-02
Infor/Lawson PO# Code:	CE1800270-02 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$0.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$144,000.00	8/1/2020-7/31/2021		
Total Amendments		\$144,000.00			
Total Contact Amount		\$144,000.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800264-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	20-0125			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	7/9/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	20-5232027	Date:	6/15/2020	MRC
Independent Contractor (I.C.) Requirement			Date:	5/4/2020	MRC
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$507,940.00
			TOTAL	\$507,940.00

Current Contract History: CE/AG# (if applicable)	CE1800264-01
Infor/Lawson PO# Code:	CE1800264-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$507,940.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$191,000.00	8/1/2020-7/31/2021		
Total Amendments		\$191,000.00			
Total Contact Amount		\$698,940.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800266-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	18-0066				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	5/4/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-6608706	Date:	5/4/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	5/4/2020	MRC	
Amendment and Exhibits					MRC	
<i>Cover - Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (containing insurance terms) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$427,140.00
			TOTAL	\$427,140.00

Current Contract History: CE/AG# (if applicable)	CE1800266-01
Infor/Lawson PO# Code:	CE1800266-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$427,140.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$244,000.00	8/1/2020- 7/31/2021		
Total Amendments		\$244,000.00			
Total Contact Amount		\$671,140.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

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Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800267-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	19-0218			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	02-0738901	Date:	4/23/2020	MRC
Independent Contractor (I.C.) Requirement			Date:	4/23/2020	MRC
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$49,380.00
			TOTAL	\$49,380.00

Current Contract History: CE/AG# (if applicable)	CE1800267-01
Infor/Lawson PO# Code:	CE1800267-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$49,380.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$34,457.00	8/1/2020-7/31/2021		
Total Amendments		\$34,457.00			
Total Contact Amount		\$83,837.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800286-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-0785				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	1/31/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	23-7084455	Date:	6/22/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	6/8/2020	MRC	
Amendment and Exhibits					MRC	
<i>Cover - Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

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Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$148,340.00
			TOTAL	\$148,340.00

Current Contract History: CE/AG# (if applicable)	CE1800286-01
Infor/Lawson PO# Code:	CE1800286-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$148,340.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$83,500.00	8/1/2020-7/31/2021		
Total Amendments		\$83,500.00			
Total Contact Amount		\$231,840.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Revised 6/15/2020

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800287-02 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo		

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?		
What is being done to prevent this from reoccurring?		

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-0785				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	1/31/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	23-7084455	Date:	6/22/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	6/8/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$117,540.00
			TOTAL	\$117,540.00

Current Contract History: CE/AG# (if applicable)	CE1800287-02
Infor/Lawson PO# Code:	CE1800287-02 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$117,540.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$77,500.00	8/1/2020-7/31/2021		
Total Amendments		\$77,500.00			
Total Contact Amount		\$195,040.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800288-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-0785				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	1/31/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	23-7084455	Date:	6/22/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	6/8/2020	MRC	
Amendment and Exhibits					MRC	
<i>Cover - Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$277,740.00
			TOTAL	\$277,740.00

Current Contract History: CE/AG# (if applicable)	CE1800288-01
Infor/Lawson PO# Code:	CE1800288-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$277,740.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$139,000.00	8/1/2020-7/31/2021		
Total Amendments		\$139,000.00			
Total Contact Amount		\$416,740.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800289-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	12-0785			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	1/31/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	23-7084455	Date:	6/22/2020	MRC
Independent Contractor (I.C.) Requirement			Date:	6/8/2020	MRC
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$346,136.00
			TOTAL	\$346,136.00

Current Contract History: CE/AG# (if applicable)	CE1800289-01
Infor/Lawson PO# Code:	CE1800289-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$346,136.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$212,000.00	8/1/2020-7/31/2021		
Total Amendments		\$212,000.00			
Total Contact Amount		\$558,136.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800290-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	12-0785			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	1/31/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	23-7084455	Date:	6/22/2020	MRC
Independent Contractor (I.C.) Requirement			Date:	6/8/2020	MRC
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$173,860.00
			TOTAL	\$173,860.00

Current Contract History: CE/AG# (if applicable)	CE1800290-01
Infor/Lawson PO# Code:	CE1800290-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$173,860.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$64,500.00	8/1/2020-7/31/2021		
Total Amendments		\$64,500.00			
Total Contact Amount		\$238,360.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800268-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	12-3779			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	6/4/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – if required	Tax ID#	34-0714339	Date:	2/13/2020	MRC
Independent Contractor (I.C.) Requirement				Date:	6/4/2020
Amendment and Exhibits				MRC	
Cover - <i>Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (containing insurance terms) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$613,868.00
			TOTAL	\$613,868.00

Current Contract History: CE/AG# (if applicable)	CE1800268-01
Infor/Lawson PO# Code:	CE1800268-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$613,868.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$227,000.00	8/1/2020-7/31/2021		
Total Amendments		\$227,000.00			
Total Contact Amount		\$840,868.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800265-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-0138				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	4/24/2020		MRC		
Debarment/Suspension Verified	Date:	7/14/2020		MRC		
Auditor’s Finding	Date:	7/17/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-0714463	Date:	4/23/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	4/23/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					MRC	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					MRC	
Checklist Verification					ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$117,400.00
			TOTAL	\$117,400.00

Current Contract History: CE/AG# (if applicable)	CE1800265-01
Infor/Lawson PO# Code:	CE1800265-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$117,400.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$75,500.00	8/1/2020-7/31/2021		
Total Amendments		\$75,500.00			
Total Contact Amount		\$192,900.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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Office of Procurement and Diversity – Required Documents Checklist

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Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1900484-01 CONV
Buyspeed RQ# (if applicable)	EC-18-41540

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	Took time to gather the hundreds of documents while working remotely from others who were also working remotely	
What is being done to prevent this from reoccurring?	We always strive to complete contracts and amendments on-time. We cannot anticipate situations like our current situation	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments				Department initials	OPD
Justification Form				MRC	
IG#	12-3784			MRC	
Annual Non-Competitive Bid Contract Statement	Date:	5/28/2020		MRC	
Debarment/Suspension Verified	Date:	7/14/2020		MRC	
Auditor’s Finding	Date:	7/17/2020		MRC	
Vendor’s Submission				N/A	
W-9 – <i>if required</i>	Tax ID#	34-0714800	Date:	6/22/2020	MRC
Independent Contractor (I.C.) Requirement			Date:	6/11/2020	MRC
Amendment and Exhibits				MRC	
<i>Cover - Master amendments only</i>				MRC	
Contract Evaluation				MRC	
Matrix Law approval screen shot				MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>				MRC	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>				MRC	
Checklist Verification				ROS	

Other documentation may be required depending upon your specific item

Office of Procurement and Diversity – Required Documents Checklist

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Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
August 1, 2018 – July 31, 2020	HS260250	55130	UCH09999	\$342,268.00
			TOTAL	\$342,268.00

Current Contract History: CE/AG# (if applicable)	CE1900484-01 CONV
Infor/Lawson PO# Code:	CE1900484-01 CONV
BuySpeed or Lawson RQ# (if applicable)	EC-18-41540

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$342,268.00		July 31, 2020	7/24/2018	R2018-0153
Prior Amendment Amounts (list separately)		\$			
		\$			
		\$			
Pending Amendment		\$186,000.00	8/1/2020- 7/31/2021		
Total Amendments		\$186,000.00			
Total Contact Amount		\$528,268.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

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Office of Procurement and Diversity – Required Documents Checklist

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OPD Buyer approval:

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County Council of Cuyahoga County, Ohio

Resolution No. R2020-0202

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood</p>	<p>A Resolution authorizing an amendment to Contract No. CE1800489-01 with Child Care Resource Center of Cuyahoga County, Inc. dba Starting Point for management, administration and implementation of various support services for the Universal Pre-Kindergarten Program for the period 1/1/2019 - 7/31/2020 to extend the time period to 7/31/2021, to change the scope of services and the terms, effective 4/1/2020, and for additional funds in the amount not-to-exceed \$1,863,724.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood has recommended an amendment to Contract No. CE1800489-01 with Child Care Resource Center of Cuyahoga County, Inc. dba Starting Point for management, administration and implementation of various support services for the Universal Pre-Kindergarten Program for the period 1/1/2019 - 7/31/2020 to extend the time period to 7/31/2021, to change the scope of services and the terms, effective 4/1/2020, and for additional funds in the amount not-to-exceed \$1,863,724.00; and

WHEREAS, the primary goals of this project are to continue: (a) management of the Universal Pre-Kindergarten (UPK) Management Information system (MIS); (b) UPK Safety Net Scholarship program; (c) implementation of UPK family engagement; (d) resource coordination; and (e) program enhancement components to support the provision of high-quality Universal Pre-Kindergarten (UPK) programming in UPK sites; and

WHEREAS, the project is funded 100% by the Health and Human Services Levy; and

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes an amendment to Contract No. CE1800489-01 with Child Care Resource Center of Cuyahoga County, Inc. dba Starting Point for management, administration and implementation of various support services for the Universal Pre-Kindergarten Program for the period 1/1/2019 - 7/31/2020 to extend the time period to 7/31/2021, to change the scope of services and the terms, effective 4/1/2020, and for additional funds in the amount not-to-exceed \$1,863,724.00.

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 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:

Office of Early Childhood/Invest in Children RQ# EC-19-44214 Child Care Resource Center of Cuyahoga County dba Starting Point Contract Amendment Universal Pre-Kindergarten (UPK) Supportive Services.

A. Scope of Work Summary

1. The Office of Early Childhood/Invest in Children is requesting approval of a contract amendment with Child Care Resource Center of Cuyahoga County dba Starting Point not-to-exceed \$1,863,724.00.

The anticipated start-completion dates are August 1, 2020 – July 31, 2021.

2. The primary goals of the project are for Starting Point to provide the following essential services for the UPK program: 1) Management of the Universal Pre-Kindergarten (UPK) Management Information system (MIS); 2) UPK Safety Net Scholarship program; 3) implementation of the UPK family engagement, 4) resource coordination, and 5) program enhancement components to support the provision of high-quality Universal Pre-Kindergarten (UPK) programming in UPK sites.

Previous Resolutions: **R2019-0037 and R2020-0024**

3. N/A

4. N/A

B. Procurement

1. The procurement method for this project was other. The total value of the RFP exemption is \$1,863,724.00

2. The above procurement method was closed on (To be determined).

6. *Option 4:* Starting Point is designated by the Ohio Department of Job and Family Services (ODJFS) as the child care resource and referral agency for service delivery area 3, which encompasses Cuyahoga, Lake, Geauga, and Ashtabula counties. Starting Point was selected through an RFGA process conducted by ODJFS for the Child Care Resource and Referral Services project (RFGA#JFSR1415178069). As the child care resource and referral agency for Cuyahoga County, Starting Point provides: 1) assistance to parents needing care for their children; 2) assistance to child care providers in need of technical assistance and training; and 3) assistance to employers seeking quality child care for their employees. In light of the above, they are clearly the best qualified and most logical vendor to provide UPK services.

C. Contractor and Project Information

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

Starting Point

4600 Euclid Avenue, Suite 500

Cleveland, OH 44103

Council District 7

2. The Executive Director for the contractor/vendor is Billie Osborne-Fears.

D. Project Status and Planning

1. The project reoccurs annually.

4. The Project's term has already ended. We began planning for this amendment but due to some late additions such as the language around the Paycheck Protection Program and our lawyer representative at the law department being out on medical leave we were unable to submit the contract amendment in on time.

E. Funding

1. The project is funded 100% by the Health and Human Services levy.

2. The schedule of payments is monthly by invoice.

3. This is an amendment to a contract amendment. This amendment changes the value by increasing the dollar amount by **\$1,863,724.00 and extends the time to July 31, 2021 and adds language related to the Paycheck Protection program and the Force Majeure of the contract and this is the second amendment of this contract.**

R2019-037 - \$1,974,636.00

R2020-0024 - \$1,229,745.00

CONTRACT EVALUATION FORM

Contractor	Child Care Resource Center of Cuyahoga County dba Starting Point				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1800489				
RQ#	EC-19-44214				
Time Period of Original Contract	January 1, 2019 to July 31, 2020				
Background Statement	Starting Point Contract for UPK Services				
Service Description	This is a contract between Cuyahoga County and Starting Point in the amount not to exceed \$1,974, 636.00 for management, administration, support services and other related expenses associated with the Universal Pre-Kindergarten (UPK) Program.				
Performance Indicators	<ol style="list-style-type: none"> 1.) Manage the UPK Information System (COPA) 2.) Manage the UPK Safety Net Scholarship Program 3.) Implement UPK Family Engagement 4.) Resource Coordination 5.) Program Enhancement Components to support the provision of high-quality Preschool 				
Actual Performance versus performance indicators (include statistics):	Starting Point managed COPA and the UPK Safety Net Scholarship Program, implemented the UPK Family Engagement and Resource Coordination, and coordinated program enhancement.				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	The contractor adequately fulfilled the scope of work as set forth in the original contract.				
Department Contact	Qianna Tidmore				
User Department	Office of Early Childhood/Invest in Childre				
Date	7/27/2020				

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A
Infor/Lawson PO # Code:	CE1800489 – 01,02,03,04 CONV
Buyspeed RQ# (if applicable)	44214

	Department	Clerk of the Board
Briefing Memo	MRC	

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Why is the amendment being submitted late?	The amendment could only be written after the vendor’s PPP Loan was approved to exclude any expenses paid for by that funding and the Law Department then provided the language to account for this as well as create the Force Majeure Clause. We also wanted to have better understanding of how UPK will operate during the pandemic and Starting Point’s role during this time.	
What is being done to prevent this from reoccurring?	This was a unique situation and we don’t expect a reoccurrence.	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					MRC	
IG#	12-2605				MRC	
Annual Non-Competitive Bid Contract Statement	Date:	6/5/2020		MRC		
Debarment/Suspension Verified	Date:	6/24/2020		MRC		
Auditor’s Finding	Date:	8/7/2020		MRC		
Vendor’s Submission					N/A	
W-9 – <i>if required</i>	Tax ID#	34-1650004	Date:	6/5/2020	MRC	
Independent Contractor (I.C.) Requirement			Date:	6/5/2020	MRC	
Amendment and Exhibits					MRC	
Cover - <i>Master amendments only</i>					N/A	
Contract Evaluation					MRC	
Matrix Law approval screen shot					MRC	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					MRC	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>	MRC	
Checklist Verification	MRC	

Other documentation may be required depending upon your specific item

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
1/1/2019 – 12/31/2019 -01	HS260250	55130	UCH09999	\$618,661.00
1/1/2019 – 12/31/2019-02	HS260120	55130	UCH01600	\$150,000.00
1/1/2019 – 12/31/2019-03	HS260120	55130	UCH09999	\$125,000.00
1/1/2019 – 12/31/2019-04	HS260120	55130	UCH01605	\$1,080,975.00
			TOTAL	\$1,974,636.00

Current Contract History: CE/AG# (if applicable)	CE1800489 – 01,02,03,04
Infor/Lawson PO# Code:	CE1800489 – 01,02,03,04 CONV
BuySpeed or Lawson RQ# (if applicable)	44214

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$1,974,636.00		12/31/2020	2/13/2020	R2020-0038
Prior Amendment Amounts (list separately)		\$			
		\$1,229,745	7/31/2020	2/11/2020	R2020-0024
		\$			
Pending Amendment		\$0.00			
Total Amendments		\$			
Total Contact Amount		\$3,204,381.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0203

Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services	A Resolution authorizing an amendment to Contract No. CE1700229-01 with Mental Health Services for Homeless Persons, Inc. dba FrontLine Service for coordinated intake and assessment services for homeless individuals and families for the period 1/1/2018 - 8/31/2020 to extend the time period to 12/31/2021 and for additional funds in the amount not-to-exceed \$800,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services has recommended an amendment to Contract No. CE1700229-01 with Mental Health Services for Homeless Persons, Inc. dba FrontLine Service for coordinated intake and assessment services for homeless individuals and families for the period 1/1/2018 - 8/31/2020 to extend the time period to 12/31/2021 and for additional funds in the amount not-to-exceed \$800,000.00; and

WHEREAS, the primary goal of this amendment is to continue to provide homeless individuals with coordinated case management and care; and

WHEREAS, this project is funded as follows: (a) \$500,000.00 (67%) by the U.S. Department of Housing and Urban Development and (b) \$300,000.00 (33%) by the Ohio Development Agency; 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. CE1700229-01 with Mental Health Services for

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

Journal _____
_____, 20__

OnBase Item Detail Briefing Memo - Form

Title:

OHS 2020 RQ HO-17-40091 2020 Mental Health Services for Homeless Persons, Inc. dba FrontLine Service, Contract Amendment for Coordinated Intake to add additional Grant dollars and extend the contract term through 12/31/2021.

A. Scope of Work Summary

1. OHS requesting approval of a contract amendment with Mental Health Services for Homeless Persons, dba FrontLine Service for the anticipated cost **\$800,000.00**, and to EXTEND the term through 12/31/2021.

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

- Original - \$500,000.00 – BC2017-764 - 10/23/17
- Amend 1 - \$46,637.00- BC2018-647 – 09/24/18
- Amend 2 - \$600,000.00 – R2018-0222 – 11/28/18
- Amend 3 - \$135,000.00 – BC2019-225 – 12/10/18
- Amend 4 - \$500,000.00 – BC2019-422 – 6/3/19
- Amend 5 - \$241,228.00 – BC2019-825 – 11/12/19
- Amend 6 - \$800,000.00 - Pending

Describe the exact services being provided. The anticipated start-completion dates are 1/1/2018- extending through 12/31/2021.

2. The primary goals of the project are (list 2 to 3 goals).
- A) Provides assessment and diversion to persons facing a housing crisis;
 - b) refers for emergency shelter placement if needed;
 - c) coordinates permanent housing resources targeted to persons experiencing homelessness.

B. Procurement

1. This program was competitively procured in 2017. There was only one respondent. FrontLine was awarded the contract based on evaluation summary scores.

3.[*Option 1*] There was only 1 proposal pulled from OPD, 1 submitted for review, 1 bids/proposals/applications) approved. This program will be recommended for an RFP for 2020.

C. Contractor and Project Information

1. The Vendor address is :
Mental Health Services for Homeless Persons, Inc. DBA FrontLine Service
1744 Payne Avenue

Cleveland, OH 44114

IG Registration # 12-1897

2. The contact for the contractor/vendor is Susan Neth.

3.b. [*When applicable*] The project is located in Council District 7

D. Project Status and Planning

1. The project is a continuation of the existing project.

E. Funding

1. The Amendment amount is \$800,000.00. The funding sources are:

U.S. Department of Housing and Urban Development \$500,000.00 (67%)

Ohio Development Agency \$300,000.00 (33%)

2. The schedule of payments is monthly by invoice.

3. The project is amendment #6 to the current contract to add federal and state grant funds and to extend the time period.

1/01/2018 – 12/31/2021

Original - \$500,000.00 – BC2017-764 - 10/23/17

Amend 1 - \$46,637.00- BC2018-647 – 09/24/18

Amend 2 - \$600,000.00 – R2018-0222 – 11/28/18

Amend 3 - \$135,000.00 – BC2019-225 – 12/10/18

Amend 4 - \$500,000.00 – BC2019-422 – 6/3/19

Amend 5 - \$241,228.00 – BC2019-825 – 11/12/19

Amend 6 - \$800,000.00 - Pending

CONTRACT EVALUATION FORM

Contractor	Mental Health Services for Homeless Persons, Inc. dba FrontLine Service				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700229				
RQ#	40091				
Time Period of Original Contract	1/01/18-12/31/18				
Background Statement	The vendor was awarded a contract to provide Coordinated Entry Services through an RFP process conducted in 2017.				
Service Description	Coordinated Entry is the “front door” to access emergency shelter and permanent housing resources for persons experiencing a housing crisis.				
Performance Indicators	Number of people assisted annually; percentage of households diverted from entering homeless system.				
Actual Performance versus performance indicators (include statistics):	Over 2,000 persons contacted Coordinated Intake during 2019. Almost 40% of the families seeking emergency shelter were able to be permanently diverted. About 15% of single adults were able to be diverted.				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	Coordinated Entry is a 24/7 service that links people experiencing a housing crisis with emergency shelter and other services and systems.				
Department Contact	Ruth Gillett (216) 420-6844				
User Department	Office of Homeless Services				
Date	7/15/20				

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	N/A – Buyspeed RQ
Infor/Lawson PO # Code:	CE1700229-01 CONV
Buyspeed RQ# (if applicable)	HO-17-38561

Frontline Amendment #6 CE1700229-01	Department	Clerk of the Board
Briefing Memo	DL	Attached

Late Submittal Required:	Yes <input checked="" type="checkbox"/>	No <input checked="" type="checkbox"/>
Why is the amendment being submitted late?	Effective 9/1/2020, will not make 3 readings in council. Late submission is on the Justification Form	
What is being done to prevent this from reoccurring?		

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments						
				Department initials	OPD	
Justification Form				DL	N/A is not an acceptable answer, questions must contain an answer in regards to the process being completed (Amendment) – Revised uploaded OK	
IG#	12-1897-REG 31DEC2023			DL		
Annual Non-Competitive Bid Contract Statement	Date:	07/20/2020		DL	OK	
Debarment/Suspension Verified	Date:	07/20/2020		DL	OK	
Auditor’s Finding	Date:	07/16/2020		DL	OK	
Vendor’s Submission				DL	Signed Amendment OK	
W-9 – <i>if required</i>	Tax ID#	34-1607734	Date:	04/06/2020	DL	OK
Independent Contractor (I.C.) Requirement			Date:	07/20/2020	DL	OK
Amendment and Exhibits				DL	Total contract amount on Amendment 6 is incorrect – Revised Uploaded OK	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Cover - <i>Master amendments only</i>	N/A	N/A
Contract Evaluation	DL	OK
Matrix Law approval screen shot	DL	OK
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>	DL	Attached (Expires 8/3/2020)
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>	DL	Attached
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>	DL	
Checklist Verification	DL	OK

Other documentation may be required depending upon your specific item

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
1/01/2020 9/1/2020 - 12/31/2020	HS220100	55130	UCH00000	\$300,000
2/01/2020 9/1/2020 - 12/31/2020	HS220130	55130	UCH00000	\$458,330
1/01/2021 – 12/31/2021	HS220130	55130	UCH00000	\$ 41,670
			TOTAL	\$800,000

Current Contract History: CE/AG# (if applicable)	CE1700229-01 CONV
Infor/Lawson PO# Code:	CE1700229-01 CONV
BuySpeed or Lawson RQ# (if applicable)	HO-17-40091

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$500,000.00		01/01/2018 – 12/31/2018	10/23/2017	BC2017-764
Prior Amendment Amounts (list separately) #1		\$46,637.00	12/31/2018	9/24/2018	BC2018-647
#2		\$600,000.00	12/31/2019	10/23/2018 11/27/2018	R2018-0222
#3		\$135,000.00	12/31/2018	12/10/2018	BC2019-225

2 | Page

Revised 6/15/2020

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

					BC2018-903
#4		\$500,000.00	2/29/2020 5/31/2020	6/3/2019	BC2019-422
#5		\$241,228.00	8/31/2020	11/12/2019	BC2019-825
Pending Amendment #6		\$800,000.00	12/31/2021	Pending Approval	Pending Approval
Total Amendments		\$2,322,865.00			
Total Contact Amount		\$2,822,865.00			

OPD Use Only:

Prior Resolutions:	BC2017-764, BC2018-647, R2018-0222, BC2018-903, BC2019-422, BC2019-825
Amend:	CE1700229-01 CONV
Vendor Name:	Mental Health Services for Homeless Persons, Inc. dba Frontline Service
ftp:	1/1/2018 – 12/31/2021; effective 9/1/2020
Amount:	\$800,000.00
History/CE:	Corrected by OPD OK
EL:	OK
Procurement Notes:	N/A is not an acceptable answer, questions must contain an answer in regards to the process being completed (Amendment). The total contract amount on Amendment 6 is incorrect, a revised signed amendment is needed. Revised Amendment uploaded and OK. Question 7 on the Justification Form still requires an answer, N/A is not an acceptable answer. TN 8/11/2020. Revised Justification uploaded. TN 8/13/2020.

OPD Buyer approval: OK to approve for entry into OnBase for BOC approval. TN 8/13/2020

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0204

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiatives/Office of Homeless Services</p>	<p>A Resolution authorizing an amendment to Contract No. CE1700066-01 with Lutheran Metropolitan Ministry for emergency shelter services for single adults at the Men’s Emergency Shelter, located at 2100 Lakeside Avenue, Cleveland, and coordination of overflow shelter services at various locations for the period 5/1/2017 - 12/31/2020 to change the scope of services, effective 9/29/2020, and for additional funds in the amount not-to-exceed \$3,627,924.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/ Division of Community Initiatives/Office of Homeless Services has recommended an amendment to Contract No. CE1700066-01 with Lutheran Metropolitan Ministry for emergency shelter services for single adults at the Men’s Emergency Shelter, located at 2100 Lakeside Avenue, Cleveland, and coordination of overflow shelter services at various locations for the period 5/1/2017 - 12/31/2020 to change the scope of services, effective 9/29/2020, and for additional funds in the amount not-to-exceed \$3,627,924.00; and

WHEREAS, the primary goals for this amendment are as follows: (1) reduce census at congregate shelters, (2) reduce the spread of COVID-19 among vulnerable homeless persons, and (3) support a public health approach that keeps staff, clients and general community safe during COVID-19; and

WHEREAS, this project is funded 100% by the COVID-19 Relief Fund; and

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

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

Clerk of Council

Date

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

Journal _____
_____, 20__

OnBase Item Detail Briefing Memo - Form

Title:

Office of Homeless Services; RQ38561, 2020, Lutheran Metropolitan Ministry; Contract Amendment 6; Emergency Shelter for Men

A. Scope of Work Summary

1. Office of Homeless Services requesting approval of a contract amendment, with Lutheran Metropolitan Ministry for the anticipated cost of \$3,327,924.00.

Original \$4,537,702.00 5/23/17 R2017-0083
Amend 1 \$75,000.00 12/18/17 BC2017-972
Amend 2 \$310,000.00 5/29/18 BC2018-339
Amend 3 \$2,081,638.00 12/11/18 R2019-0259
Amend 4 \$2,231,638.00 01/06/20 R2019-0283
Amend 5 \$2,917,932.00 07/14/20 EMRP-20-074
Amend 6 \$3,327,924.00 PENDING
TOTAL \$15,781,834.00

Describe the exact services being provided. Lutheran Metropolitan Ministry (LMM) operates the Emergency Shelter for Single Adult Men which accommodates 345 men a night, located at 2100 Lakeside Avenue. Shelter, meals, access to laundry and services to link men with employment and housing are provided 365 days/year. LMM also facilitates the provision of Overflow shelter services for single men and families in partnership with community providers. As an extension of services related to providing Shelter Overflow Services, and in an effort to reduce the spread of the pandemic, maintain safe environments for staff and guests, and support a community public health approach, LMM has coordinated the Continuum of Care “Congregate Shelter Deconcentration” Strategy by contracting with various hotel providers. By securing additional space, the census at the 2 largest congregate shelters has been reduced by more than 50%. This enables the shelters to implement compliance with CDC guidelines for “social distancing” for staff and guests remaining in the shelter buildings. The hotel space further reduces the spread of the virus because more vulnerable guests have been relocated to hotel spaces where their risk of exposure is reduced.

The anticipated start date is Effective Date. The contract ends 12/31/2020.

2. The primary goals of the project are to:
- a) Reduce census at congregate shelters;
 - b) Reduce the spread of the COVID 19 among vulnerable, homeless persons;
 - c) Support a public health approach that keeps staff, clients, and the general community safe during COVID 19

3. **N/A** [*When applicable*] The project is mandated by (provide the ORC statute with section numbers, Cuyahoga County Charter, etc).
(When applicable, Municipality of project)

4. **N/A** (When applicable) Technology Items - If the request is for the purchase of software or technical equipment:

- a) Please state the date of TAC Approval
- b) Are the purchases compatible with the new ERP system?
- c) Is the item ERP approved
- d) Are the services covered by the original ERP budget

B. Procurement

1. The procurement method for this project was **RFP**. The total value of the RFP was \$1,701,638.00.

2. The above procurement method was closed on **11/29/2016**

3. There were 3 bids pulled from OPD, LMM was the only bidder to provide Emergency Shelter for Single Adult Men. Based on the review and scoring, LMM was recommended for, and approved.

C. Contractor and Project Information

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

Lutheran Metropolitan Ministry
4515 Superior Avenue
Cleveland, Ohio 44103
Council District 7

2. The executive director for the contractor is Andrew Genzler.

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

2100 Lakeside Emergency Men's Shelter
2100 Lakeside Avenue)
Cleveland, Ohio 44114

3.b. The project is located in Council District 7

D. Project Status and Planning

1. The project reoccurs annually.

2. **N/A** [*When applicable*] The project has (#) phases. The next steps, dates, and anticipated cost of these are (list each critical step and the date of start and completion).

3. **N/A** [*When applicable*] The project is on a critical action path because (present the reason for the delay in the request or mitigating circumstances requiring expedited action).

4. **N/A** [*When applicable*] The project's term has (already begun or ended). State the time-line and reason for late submission of the item.

5. **N/A** [*When applicable*] The contract or agreement needs a signature in ink by (enter date).

E. Funding

1. The project is funded **100% by the Health and Human Services Levy.**

2. The schedule of payments is monthly.

3. The project is an amendment to a contract. This amendment changes:

- the amount of the contract by adding \$3,327,924.00
- the contract through 12/31/2020.
- this is the 6th **amendment** to the contract. The history of the amendments is:

Original \$4,537,702.00 5/23/17 R2017-0083
Amend 1 \$75,000.00 12/18/17 BC2017-972
Amend 2 \$310,000.00 5/29/18 BC2018-339
Amend 3 \$2,081,638.00 12/11/18 R2019-0259
Amend 4 \$2,231,638.00 01/06/20 R2019-0283
Amend 5 \$2,917,932.00 07/14/20 EMRP-20-074
Amend 6 \$3,327,924.00 PENDING
TOTAL \$15,781,834.00

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

Please reference the alternate procurement process and the Board of Control Approval Number for exemptions from aggregation on various requisitions to reimburse employers for employee wage and training expenses; to authorize payments to various providers for family centered services and support wraparound program services, or to make award recommendations to various providers for toxicology services.

CONTRACT EVALUATION FORM

Contractor	Lutheran Metropolitan Ministry				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	CE1700066				
RQ#	38561				
Time Period of Original Contract	5/01/17 – 12/31/19				
Background Statement	In 2017 Lutheran Metropolitan Ministry (LMM) was awarded the contract to provide shelter services for single adults through an RFP process.				
Service Description	LMM manages a 365 bed adult emergency shelter 24/7 as well as Overflow shelter for single adults and families.				
Performance Indicators	Number of people assisted annually; exits to permanent housing.				
Actual Performance versus performance indicators (include statistics):	LMM served over 3,000 unduplicated persons in 2019; 55% of those who exited the shelter left to a permanent housing option.				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	LMM provides basic shelter and housing linkages for single adults with an emphasis on a client focused, trauma informed approach.				
Department Contact	Ruth Gillett (216) 420-6844				
User Department	Office of Homeless Services				
Date	7/13/2020				

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	
Infor/Lawson PO # Code:	CE1700066-01 CONV
Buyspeed RQ# (if applicable)	HO-17-38561

LMM Amendment #6 CE1700066-01	Department	Clerk of the Board
Briefing Memo	DL	

Late Submittal Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Why is the amendment being submitted late?		
What is being done to prevent this from reoccurring?		

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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Contract Amendments					Department initials	OPD
Justification Form					DL	
IG#	IG# 12-1788-REG exp 12/31/2021				DL	
Annual Non-Competitive Bid Contract Statement	Date:	06/25/2020			DL	
Debarment/Suspension Verified	Date:	07/10/2020			DL	
Auditor’s Finding	Date:	07/10/2020			DL	
Vendor’s Submission					DL	
W-9 – <i>if required</i>	Tax ID#	34-1043756	Date:	07/08/2019	DL	
Independent Contractor (I.C.) Requirement			Date:	06/25/2020	DL	
Amendment and Exhibits					DL	
<i>Cover - Master amendments only</i>					N/A	
Contract Evaluation					DL	
Matrix Law approval screen shot					DL	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					DL	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>					DL	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>					DL	
Checklist Verification					DL	

Other documentation may be required depending upon your specific item

Glossary of Terms at: <https://intranet.cuyahoga.cc/policies-procedures/procurement-information>

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Dollar Amount
Effective Date -12/31/2020	FS100185	55130	NOEMERRESP001	\$3,627,924.00
			TOTAL	\$3,627,924.00

Current Contract History: CE/AG# (if applicable)	CE1700066-01 CONV
Infor/Lawson PO# Code:	CE1700066-01 CONV
BuySpeed or Lawson RQ# (if applicable)	HO-17-38561

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$4,537,702.00		05/01/17 – 12/31/17	05/23/17	R2017-0083
Prior Amendment Amounts (list separately) #1		\$75,000.00	12/31/17	12/18/17	BC2017-972
#2		\$310,000.00	12/31/19	5/29/18	BC2018-339
#3		\$2,081,638.00	12/31/19	12/11/18	R2019-0259
#4		\$2,231,638.00	12/31/2020	1/6/2020	R2019-0283
Pending Amendment #5		\$2,917,932.00	12/31/2020	7/14/2020	EMRP-20-074
Pending Amendment #6		\$3,627,924.00	12/31/2020	Pending	Pending
Total Amendments		\$11,244,132.00			
Total Contact Amount		\$15,781,834.00			

OPD Use Only:

Prior Resolutions:	
Amend:	
Vendor Name:	
ftp:	
Amount:	
History/CE:	
EL:	
Procurement Notes:	

OPD Buyer approval:

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0205

<p>Sponsored by: County Executive Budish/Department of Health and Human Services/Division of Community Initiative/Office of Reentry</p>	<p>A Resolution making an award on RQ47422 to Enterprise Community Partners, Inc. in the amount not-to-exceed \$600,000.00 for a Justice Housing Plan and Implementation Strategy for the period 9/30/2020 - 12/31/2022; 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.</p>
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WHEREAS, the County Executive/Department of Health and Human Services/Division of Community Initiative/Office of Reentry has recommended an award on RQ47422 to Enterprise Community Partners, Inc. in the amount not-to-exceed \$600,000.00 for a Justice Housing Plan and Implementation Strategy for the period 9/30/2020 - 12/31/2022; and

WHEREAS, the primary goals of the project are to reduce housing instability and recidivism among reentrants; and

WHEREAS, this project is funded by (a) \$110,000.00 from a Federal Bureau of Justice Assistance Grant and (b) \$490,000.00 from Health and Human Services Levy Funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ47422 to Enterprise Community Partners, Inc. in the amount not-to-exceed \$600,000.00 for a Justice Housing Plan and Implementation Strategy for the period 9/30/2020 - 12/31/2022.

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee:

Committee(s) Assigned:

Journal _____
_____, 20__

OnBase Item Detail Briefing Memo - Form

Title: Office of Reentry (OOR) **RE-20-47422** Enterprise Community Partners
Community Development/Housing

A. Scope of Work Summary

1. The OOR is requesting approval of a contract with Enterprise Community Partners for a cost not to exceed \$600,000.00

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

N/A – New Contract

Describe the exact services being provided:

To create and lead the implementation of a community development plan that identifies and motivates partners in Cuyahoga County to see the necessity in providing housing options (short and long term) to returning citizens. The plan will identify (1) key stakeholders (2) potential funding sources (3) Strategies for leveraging existing housing program and resources and (4) Implementation of a housing plan for Cuyahoga County.

The anticipated start-completion dates are (Effective Date Signed by County Executive - 12/31/2022).

2. The primary goals of the project are (list 2 to 3 goals).

- Reduce housing instability among reentrants
- Reduce recidivism of reentrants
- Create and execute a lasting housing strategy for reentrants in Cuyahoga County

3. The project is not mandated by ORC, Cuyahoga County Charter, etc.

4. N/A

B. Procurement

1. The procurement method for this project was through a formal competitive RFP process. The total value of the RFP was \$410,000.00.

2. The RFP was closed on January 16, 2020. There is not an SBE or DBE participation/goal.

3. There was 1 proposal pulled from OPD, 1 proposal submitted for review, 1 proposal approved.

4. N/A

5. N/A

6. N/A

C. Contractor and Project Information

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

Enterprise Community Partners
1360 E. 9th Street Suite 510
Cleveland, OH 44114
Council District (07)

2. The vice president for the contractor/vendor is Mark McDermott.

3.a [*When applicable*] The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):

Enterprise Community Partners
1360 E. 9th Street Suite 510
Cleveland, OH 44114

3.b. [*When applicable*] The project is located in Council District (07)

D. Project Status and Planning

1. The project reoccurs annually.

2. N/A

3. N/A

4. N/A

5. N/A

E. Funding

1. The project is funded by a Federal Bureau of Justice Assistance Grant for the amount of \$110,000.00 and with HHS Levy funds for the amount of \$490,000.00

2. The schedule of payments is by monthly invoice.

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

N/A

Office of Procurement and Diversity Tabulation Sheet

REQUISITION NUMBER: 47422	TYPE: (RFB/RFP/RFQ): RFP	ESTIMATE: \$410,000.00
CONTRACT PERIOD:	RFB/RFP/RFQ DUE DATE: January 16, 2020	NUMBER OF RESPONSES (Issued/submitted): 29/1
REQUESTING DEPARTMENT: Office of Reentry	COMMODITY DESCRIPTION: Community Development/Housing	
DIVERSITY GOAL/SBE 0 %	DIVERSITY GOAL/MBE 0 %	DIVERSITY GOAL/WBE 0 %
Does CCBB Apply: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	CCBB: Low Non-CCBB Bid\$:	Add 2%, Total is:
Does CCBEIP Apply: <input type="checkbox"/> Yes <input checked="" 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.	Enterprise Community Partners, Inc. 1360 E. 9 th Street, Suite 510 Cleveland, OH 44114	N/A	N/A	Compliant: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No IG Registration Complete: <input checked="" type="checkbox"/> Yes IG Number: 12-11229 NCA: <input checked="" type="checkbox"/> Yes PH: <input checked="" type="checkbox"/> Yes COOP: <input checked="" type="checkbox"/> Yes OPD Buyer Initials: TMN	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	CCBB <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No CCBEIP <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	N/A	Awarded	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Transaction ID:

Paul Porter
Paul Porter, HHS OCAP

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0206

Sponsored by: County Executive Budish/Department of Public Safety and Justice Services	A Resolution making an award on RQ00089 to Selex ES Inc. in the amount not-to-exceed \$823,236.96 for the Fixed Automated License Plate Recognition Expansion Project for the period 9/15/2020 - 11/30/2023; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Safety and Justice Services has recommended an award on RQ00089 to Selex ES Inc. in the amount not-to-exceed \$823,236.96 for the Fixed Automated License Plate Recognition Expansion Project for the period 9/15/2020 - 11/30/2023.

WHEREAS, the primary goals of the project are for installation and maintenance of additional license plate reader cameras; and

WHEREAS, the project is 100% funded by FY2017 Urban Area Security Initiative Grant funds; and

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

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

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ00089 to Selex ES Inc. in the amount not-to-exceed \$823,236.96 for the Fixed Automated License Plate Recognition Expansion Project for the period 9/15/2020 - 11/30/2023.

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

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

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

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

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

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

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

Journal _____
_____, 20__

OnBase Item Detail Briefing Memo - Form

Title:

Public Safety and Justice Services; RQ# 89 2020 Selex-ES Inc; Contract Fixed Automated License Plate Recognition Expansion

A. Scope of Work Summary

1. Public Safety and Justice Services requesting approval of a contract with Selex-ES Inc for the anticipated cost not-to-exceed \$823,236.96.

The first phase of the FALPR project was approved under Resolution No. R2017-0216.

The County is looking to add to the existing county-wide fixed automated license plate recognition (FALPR) system to counter potential terrorist activity. This project will install LPR cameras in 2 directions at 17 new locations across the county. The selected intersections were identified by each community. The installation is expected to take place in October 2020. The anticipated start and completion dates for the contract are 09/15/2020 – 12/31/2020, with warranty and maintenance of the system continuing until 11/30/2023.

4. (When applicable) Technology Items - If the request is for the purchase of software or technical equipment:

- a) Please state the date of TAC Approval – 7/9/20
- b) Are the purchases compatible with the new ERP system? – N/A
- c) Is the item ERP approved – N/A
- d) Are the services covered by the original ERP budget – N/A

B. Procurement

1. The procurement method for this project was Formal RFP. The total value of the Formal RFP is \$823,236.96.

2. The Formal RFP closed on 05/13/2020.

3. There were 4 proposals submitted and reviewed.

C. Contractor and Project Information

1. The address of the contractor is:

Selex-ES Inc
4221 Tudor Lane
Greensboro, NC 27410

2. The Vice President of Finance for the contractor is Barry Dilks.

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

Cameras will be located at the following intersections:

City	Intersection
Strongsville	Pearl Rd & Sprague Rd
Cleveland	E 55th St & Woodland Ave
Highland Heights & Mayfield	Wilson Mills Rd & Worton Park Dr
Parma Heights	Pearl Rd & York Rd/Stumph Rd
Solon	Harper Rd & Bainbridge Rd
Rocky River	Hilliard Blvd & Lakeview Ave
Brook Park & Parma	Snow Rd & W 130th St
Beachwood	Cedar Rd & Richmond Rd
Garfield Heights	Broadway Ave & E 131st St
East Cleveland	Euclid Ave & Shaw Ave
Olmsted Falls	26939 Bagley Rd
Bay Village	Clague Rd & Wolf Rd
Cleveland	6700 Cleveland Memorial Shoreway
Westlake	Crocker Rd & Detroit Rd
Euclid	E 222nd St & Lakeshore Blvd
Cleveland	W 25th St & Clark Ave
Lakewood	W 117th St & Madison Ave

D. Project Status and Planning

1. The project is an expansion of an existing project.

E. Funding

1. The project is funded 100% by the FY2017 Urban Area Security Initiative (UASI) grant.

2. The schedule of payments is by invoice.



Office of Procurement and Diversity Tabulation Sheet

REQUISITION NUMBER: 89	TYPE: (RFB/RFP/RFQ): RFP	ESTIMATE: \$850,000.00
CONTRACT PERIOD:	RFP DUE DATE: May 13, 2020	NUMBER OF RESPONSES (issued/submitted): 33/4
REQUESTING DEPARTMENT: Department of Public Safety and Justice Services	COMMODITY DESCRIPTION: Fixed Automated License Plate Recognition Expansion	
DIVERSITY GOAL/SBE 0%	DIVERSITY GOAL/MBE 0%	DIVERSITY GOAL/WBE 0%

Bidder's / Vendors Name and Address	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Dept. Tech. Review	Award: (Y/N)
1. Brite Computers 7647 Main Street Fishers Victor, NY 14564	N/A	Compliant: Yes IG Registration Complete: Yes IG Number #15-0189 NCA: Yes PH: Yes CCBB: N/A CCBEIP: N/A COOP: N/A OPD Buyer Initials: JMH	System review determined and product will not be satisfactory or properly integrate with current system	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Transaction ID:

Bidder's / Vendors Name and Address	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Dept. Tech. Review	Award: (Y/N)
2. Quest Solution West 2100 South Suite #4 Salt Lake City, UT 84114	N/A	Compliant: Yes IG Registration Complete: No IG Number #Not registered NCA: Yes PH: Yes CCBB: N/A CCBEIP: N/A COOP: N/A OPD Buyer Initials: JMH	System determined to be in-separate for new and integrating of current system.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3. Selex ES Inc. 4221 Tudor Lane Greensboro, NC 27410	N/A	Compliant: Yes IG Registration Complete: Yes IG Number #16-0283 NCA: Yes PH: Yes CCBB: N/A CCBEIP: N/A COOP: N/A OPD Buyer Initials: JMH	System determined to be best solution for new and integration of current system.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Transaction ID:

Bidder's / Vendors Name and Address	Actual Bid Amount (enter "N/A" if RFP or RFQ)	Buyer Administrative Review: OPD Buyer Initials	Dept. Tech. Review	Award: (Y/N)
4. Vigilant Solutions 1152 Stealth Street Livermore, CA 94551	N/A	Compliant: Yes IG Registration Complete: No IG Number #Not Registered NCA: Yes PH: Yes CCBB: N/A CCBEIP: N/A COOP: N/A OPD Buyer Initials: JMH	System determined to be very effective and offered strong integration. More costly than selected vendor	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

Transaction ID:

Grant: UASI 17
 Project: Fixed ALPR Expansion
 Scope: Score Tabulation Sheet
 Updated: 6/8/2020

Table 1. Alphabetical Order

	Vendor	Technical Review		Proposal Review		Demo Review		Final Rank
		Score	%	Score	%	Score	%	
a	Brite Computers	72.5	69.05%	127.1	65.18%	n/a	n/a	3
b	Quest Solution	75.25	71.67%	109.65	56.23%	n/a	n/a	4
c	Selex ES Inc	79.25	75.48%	142.45	73.05%	61	87.14%	1
d	Vigilant Solutions	80.5	76.67%	143.7	73.69%	59	84.29%	2

Table 2. Lowest to Highest Cost

	Vendor	Technical Review		Proposal Review		Demo Review		Final Rank	One Direction	2nd Direction
		Score	%	Score	%	Score	%			
a	Brite Computers	72.5	69.05%	127.1	65.18%	n/a	n/a	3	\$553,448.00	included
b	Selex ES Inc	79.25	75.48%	142.45	73.05%	61	87.14%	1	\$421,076.17	\$269,850.79
c	Quest Solution	75.25	71.67%	109.65	56.23%	n/a	n/a	4	\$429,388.04	\$209,685.00
d	Vigilant Solutions	80.5	76.67%	143.7	73.69%	59	84.29%	2	\$529,582.49	\$233,407.51

* difference from lowest priced proposal

Reviewers			
	Technical Review	Proposal Review	Demo Review
	Sgt. Pdraig Devlin	Alan Kilgore	Sgt. Pdraig Devlin
	Dan Grein	Chief Steve Scharschmidt	Dan Grein
	Alan Kilgore	Henry Tafe	Mike Herb
		Lezlie White	Alan Kilgore
			Chief Steve Scharschmidt

|

| Henry Tafe

On-going Costs	Total	\$ dif*
\$28,710.00	\$582,158.00	
\$132,310.00	\$823,236.96	\$241,078.96
\$199,999.90	\$839,072.94	\$256,914.94
\$79,825.00	\$842,815.00	\$260,657.00
ave:	\$771,820.73	
median:	\$831,154.95	

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0207

Sponsored by: County Executive Budish on behalf of Cuyahoga County Public Defender Commission	A Resolution authorizing a revenue generating agreement with City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$2,237,350.00 for legal services for indigent persons for the period 1/1/2020 - 12/31/2020; 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.
--	--

WHEREAS, the County Executive on behalf of Cuyahoga County Public Defender Commission has recommended a revenue generating agreement with City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$2,237,350.00 for legal services for indigent persons for the period 1/1/2020 - 12/31/2020; and

WHEREAS, the primary goal of this project is to provide legal representation for indigent people in Cleveland Municipal Court; 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 City of Cleveland/Cleveland Municipal Court in the amount not-to-exceed \$2,237,350.00 for legal services for indigent persons for the period 1/1/2020 - 12/31/2020.

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__

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0208

<p>Sponsored by: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board</p>	<p>A Resolution authorizing an amendment to Agreement No. AG1500004-01 with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the Adult Probation Substance Abuse Residential Treatment Program for the period 1/1/2015 - 6/30/2020 to extend the time period to 6/30/2022 and for additional funds in the amount not-to-exceed \$1,200,000.00; authorizing the County Executive to execute the amendment and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
---	--

WHEREAS, the County Executive on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board has recommended an amendment to Agreement No. AG1500004-01 with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the Adult Probation Substance Abuse Residential Treatment Program for the period 1/1/2015 - 6/30/2020 to extend the time period to 6/30/2022 and for additional funds in the amount not-to-exceed \$1,200,000.00; and

WHEREAS, the primary goal of this amendment is to continue to provide residential level of care services for probationers diagnosed with a Substance Use Disorder, including those diagnosed with an opioid related disorder; and

WHEREAS, the project is funded by the Ohio Department of Rehabilitation and Correction (ODRC) Justice Reinvestment and Incentive Grant (JRIG) and Targeted Community Alternatives to Prison; 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 Agreement No. AG1500004-01 with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County for the Adult Probation Substance Abuse Residential Treatment Program for the period 1/1/2015 - 6/30/2020 to extend the time period to 6/30/2022 and for additional funds in the amount not-to-exceed \$1,200,000.00.

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__

OnBase Item Detail Briefing Memo - Form

Title: ADAMHS Board – Adult Probation Substance Abuse Residential Treatment Program (RSAT) – 5th Amendment

Lead Department/Court Name: Cuyahoga County Common Pleas Court/Corrections Planning Board

RQ#: CO-14-31491

PO#: AG1500004-01

Year: The original contract start date is January 1, 2015. The end date is June 30, 2022.

Agency/Vendor Name: Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board

Agreement/Contract type: Contract Amendment between two governmental agencies

A. Scope of Work Summary

1. The Corrections Planning Board and the Common Pleas Court plans to amend Contract No. **AG1500004** with the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board, to change **extend time-period** for Residential Substance Abuse Treatment (RSAT) services for Cuyahoga County offenders on probation in the amount of **\$1,200,000.00**. In other words, for this RSAT Agreement we are adding \$1,200,000.00 to the 4th Amendment amount of \$4,068,157.50. The total amount of the new Agreement is \$5,268,157.50.
2. If the Project is not new to the County List the Prior Board Approval Number or Resolution Number: See attached document.
3. Probationers will receive a minimum of 30 hours per week of intensive substance abuse intervention utilizing evidence-based treatment models. This contract will provide residential level of care services for probationers diagnosed with a Substance Use Disorder, including those diagnosed with an opioid related disorder. This programming will provide opportunities for offenders with a high-need for treatment to obtain help. This solution is one part of a treatment continuum for Substance Use Disorder as prescribed by the Ohio Department of Mental Health and Addiction Services and the US Department of Health and Human Services-Substance Abuse and Mental Health Services Administration (SAMHSA). The original contract start date is January 1, 2015. The end date is June 30, 2022.

4. The primary goal of the project is: ADAMHS Board will provide Residential Substance Abuse Treatment (RSAT) services for Cuyahoga County offenders on probation.
3. The project is funded by Ohio Department of Rehabilitation and Correction (ODRC) Justice Reinvestment and Incentive Grant (JRIG) and Targeted Community Alternatives to Prison
4. (When applicable) Technology Items - If the request is for the purchase of software or technical equipment: N/A
 - a) Please state the date of TAC Approval – N/A
 - b) Are the purchases compatible with the new ERP system? – N/A
 - c) Is the item ERP approved – N/A
 - d) Are the services covered by the original ERP budget – N/A

B. Procurement

1. No procurement options were used for this agreement. The Corrections Planning board relies on the expertise of the Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board of Cuyahoga County to screen and select qualified provider(s), leverage Medicaid funding, and monitor the services they provide. The ADAMHS Board excels at leveraging funding sources, screening and selecting qualified provider agencies as well as monitoring treatment services contracted for the benefit of clients.
2. The (above procurement method) was closed on (date). (When applicable) There is an SBE or DBE participation/goal (list the % of both). – N/A
3. [Option 1] There were (# bids/proposals/applications) pulled from OPD, (# bids/proposals/ applications) submitted for review, (# bids/proposals/applications) approved. – N/A
4. [Option 2] The proposed (contract, loan, agreement, etc.) is an OPD approved sole source item with materials attached. – N/A
5. [Option 3] The proposed (contract, loan, agreement, etc.) received an (RFB, RFP, RFQ, or other [specify]) exemption on (list date). The approval letter is attached for review. – N/A
6. [Option 4] If an RFP Exemption is being requested please list the reason a competitive process was not utilized. – N/A

C. Contractor and Project Information

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

Vendor/Contractor Name: Alcohol, Drug Addiction and Mental Health Services (ADAMHS) Board of Cuyahoga County
Street Number and Name: 2012 W. 25th Street, 6th Floor
City, State, and Zip Code: Cleveland, OH 44113
Council District: This program serves the entire county.

2. The contact for the ADAMHS Board is Scott S. Osiecki, Chief Executive Officer
- 3.a The address or location of the project is: (provide the full address or list the municipality(ies) impacted by the project in the following format):
Vendor/Contractor Name: This program serves the entire county.
Street Number and Name: N/A
City, State, and Zip Code: N/A
- 3.b. The project is located in Council District – N/A

D. Project Status and Planning

1. The project is a not new project to the County and is to be amended for a fifth time.
2. [When applicable] The project has (#) phases. The next steps, dates, and anticipated cost of these are (list each critical step and the date of start and completion). – N/A
3. [When applicable] The project is on a critical action path because (present the reason for the delay in the request or mitigating circumstances requiring expedited action). – N/A
4. [When applicable] The project's term has (already begun or ended). State the time-line and reason for late submission of the item. – N/A
5. [When applicable] The contract or agreement needs a signature in ink by **June 25, 2020**

E. Funding

1. The project is funded 100% by *Ohio Department of Rehabilitation and Correction (ODRC)* Justice Reinvestment and Incentive Grant (JRIG) and Targeted Community Alternatives to Prison
2. The schedule of payments is quarterly.
3. The project is an amendment to a contract {original Contract No. **AG1500004** with the Alcohol, Drug Addiction and Mental Health Services (ADAMHS)

Board, to change **extend time-period** for Residential Substance Abuse Treatment (RSAT) services for Cuyahoga County offenders on probation.

The history of the amendments is: (list the year and associated value of each of the previous amendments):

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$2,380,395.00		01/01/2015-12/31/2017	01/29/2015	R2015-0010
Prior Amendment Amounts (list separately)		\$300,000.00	01/01/2015-12/31/2017	05/11/2016	BC2016-315
		\$387,762.50	01/01/2015-12/31/2017	10/03/2017	BC2017-692
		\$500,000.00	New end date 12/31/2019	09/25/2018	R2018-0163
		\$500,000.00	New end date 06/30/2020	11/12/2019	BC2019-827
Pending Amendment		\$1,200,000.00	New end date 06/30/2022		
Total Amendments	Four (4)	\$4,068,157.50			
Total Contact Amount		\$5,268,157.50			

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

N/A - Please reference the alternate procurement process and the Board of Control Approval Number for exemptions from aggregation on various requisitions to reimburse employers for employee wage and training expenses; to authorize payments to various providers for family centered services and support wraparound program services, or to make award recommendations to various providers for toxicology services.

CONTRACT EVALUATION FORM

Contractor	Alcohol Drug Addiction Services Board (RSAT)				
Current Contract History: CE/AG# (if applicable) Infor/Lawson PO#:	AG1500004-01				
RQ#	CO-14-31491				
Time Period of Original Contract	01/01/2015 - 12/31/2017				
Background Statement	5th amendment to original interagency agreement.				
Service Description	ADAMHSB coordinates, screens vendors, identify proper funding source, tracks progress for Residential Substance Abuse Treatment (RSAT) probationers when appropriate.				
Performance Indicators	Contract with mutually agreed upon certified service providers for this program. Monitor service provider for compliance on all certifications.				
Actual Performance versus performance indicators (include statistics):	100% compliance with contracting with service providers for this program; 100% compliance with monitoring service providers for fulfillment of Ohio regulations.				
Rating of Overall Performance of Contractor	Superior	Above Average	Average	Below Average	Poor
Select One (X)		X			
Justification of Rating	The ADAMHS Board has performed the contracted for functions; no audit findings have been found. Treatment services meet the guidelines of ODADAS. The ADAMHSB has met the needs of finding and monitoring the vendors selected to provide treatment services for the Court's "client" population.				
Department Contact	Linda Lagunzad, Assistant Administrator				
User Department	Corrections Planning Board (Cuyahoga County Common Pleas Court)				
Date	May 13, 2020				

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Infor/Lawson RQ#:	CO-14-31491
Infor/Lawson PO #:	AG1500004-01
Buyspeed RQ# (if applicable)	

ADAMHS Board – Adult Probation Substance Abuse Residential Treatment Program (RSAT) – 5th Amendment	Department	Clerk of the Board
Briefing Memo	CPB-LL	

Late Submittal Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Why is the amendment being submitted late?	N/A	
What is being done to prevent this from reoccurring?	N/A	

TAC Required:	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
---------------	------------------------------	--

Contract Amendments					
				Department initials	OPD
Justification Form				LL	
IG#	ADAMHS Bd does not have an IG#			N/A	
Annual Non-Competitive Bid Contract Statement	Date:			N/A - The ADAMHS Board is a County entity and exists per the ORC. There is only one ADAMHS Board per County. Hence, no need for the competitive bid form, which should be waived.	
Debarment/Suspension Verified	Date:	5/20/20		LL	
Auditor’s Finding	Date:	5/20/20		LL	
Vendor’s Submission				LL	
W-9	Tax ID#	34-6000817	Date:	12/19/19	LL
Independent Contractor (I.C.) Requirement	Date:			N/A - The ADAMHS Board is not an Independent Contractor. The ADAMHS Board is a governmental entity and so the form is waived because ADAMHS Board employees are in OPERS.	
Amendment and Exhibits				LL	

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

Cover - <i>Master amendments only</i>		
Contract Evaluation	LL	
Matrix Law approval screen shot	N/A - The ADAMHS Board is a County entity and exists per the ORC.	
COI - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>	N/A - The ADAMHS Board is a County entity and exists per the ORC.	
Workers’ Compensation Insurance - <i>*To be reviewed by the Department of Law. *OPD Buyer to check for attachment; not for compliance.</i>	N/A - The ADAMHS Board is a County entity and exists per the ORC.	
Original Executed Contract (<i>containing insurance terms</i>) AND any and all executed amendments to the contract - <i>*To be reviewed by the Department of Law.</i>	N/A - The ADAMHS Board is a County entity and exists per the ORC.	
Checklist Verification	LL	

Accounting Units

Time Period	Accounting Unit	Account Number	Sub Account	Activity Code	Dollar Amount
01/01/2020-12/31/2020	CP100170	55130	0		\$500,000.00
07/01/2019-06/30/2020	CP285170	55130	0	CP-21-ODRC-JRIG	\$125,000.00
07/01/2020-12/31/2020	CP285170	55130	0	CP-21-ODRC-TCAP	\$143,750.00
01/01/2021-12/31/2021	CP285170	55130	0	CP-21-ODRC-TCAP	\$287,500.00
01/01/2022-06/30/2022	CP285170	55130	0	CP-21-ODRC-TCAP	\$143,750.00
				Total	\$1,200,000.00

Current Contract History: CE/AG# (if applicable)	AG1500004-01
Infor/Lawson PO#:	AG1500004-01
BuySpeed or Lawson RQ# (if applicable)	CO-14-31491

	Original Amount	Amendment Amount	Original Time Period/Amended End Date	Approval Date	Approval #
Original Amount	\$2,380,395.00		01/01/2015-12/31/2017	01/29/2015	R2015-0010
Prior Amendment Amounts (list separately)		\$300,000.00	01/01/2015-12/31/2017	05/11/2016	BC2016-315
		\$387,762.50	01/01/2015-	10/03/2017	BC2017-692

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

			12/31/2017		
		\$500,000.00	New end date 12/31/2019	09/25/2018	R2018-0163
		\$500,000.00	New end date 06/30/2020	11/12/2019	BC2019-827
Pending Amendment		\$1,200,000.00	New end date 06/30/2022		
Total Amendments	Four (4)	\$4,068,157.50			
Total Contact Amount		\$5,268,157.50			

Office of Procurement and Diversity – Required Documents Checklist

Upload as “word” document in OnBase Document Management

OPD Use Only:

Prior Resolutions	
Amend	
Vendor Name	
ftp:	
Amount	
History/CE	
W-9	
EL	
Procurement Notes:	

OPD Buyer approval:

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0158

Sponsored by: County Executive Budish on behalf of Cuyahoga County Planning Commission	A Resolution approving proposed amendments to the Subdivision Platting Rules for the Unincorporated Areas of Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.
---	---

WHEREAS, Section 711.10 of the Ohio Revised Code authorizes county planning commissions to adopt regulations and procedures governing the proposed divisions of land to review and approve, approve with conditions, or to disapprove the proposed layouts of new subdivisions of land, and to amend such regulations (Cuyahoga County Subdivision Regulations or Subdivision Regulations); and,

WHEREAS, the Cuyahoga County Planning Commission adopted such Subdivision Regulations governing the proposed divisions of land in 1941 and has amended these Subdivision Regulations three times since, with the last amendment occurring in 2010; and

WHEREAS, representatives from the Cuyahoga County Planning Commission, Cuyahoga County Department of Public Works, Cuyahoga County Department of Law and Cuyahoga Soil and Water Conservation District (referred to as the County Reviewing Entities), who are engaged in major subdivision application review for the unincorporated areas of Cuyahoga County identified the need to update the current Subdivision Regulations to reflect the current form of Cuyahoga County Government, streamline and simplify information, better define processes for the review of Improvement Plans, include new requirements pertaining to environmental standards for development and update and establish fees to recover costs in administering the Subdivision Regulations; and

WHEREAS, representatives of the Cuyahoga County Planning Commission organized a series of meetings of the County Reviewing Entities to review and recommend revisions to the Subdivision Regulations reflective of the needs listed above; and

WHEREAS, the County Reviewing Entities have determined the proposed revisions to the Subdivision Platting Rules for the Unincorporated Areas of Cuyahoga County, Ohio have achieved the above-mentioned items and are in the best interest of Cuyahoga County and the two unincorporated townships (Olmsted Township and Chagrin Falls Township); and

WHEREAS, in accordance with Section 711.10 of the Ohio Revised Code, a county planning commission shall hold a public hearing on any proposed amendments to its rules. The Cuyahoga County Planning Commission held a public hearing on the proposed amendments on May 14, 2020; and

WHEREAS, in accordance with Section 711.10 of the Ohio Revised Code, notice of this public hearing was sent to all unincorporated townships within Cuyahoga County on April 1, 2020; and

WHEREAS, the Cuyahoga County Planning Commission finds that the amendments to the Subdivision Regulations contained within Exhibit A attached hereto will promote the public health, safety and general welfare of present and future residents in the unincorporated areas of Cuyahoga County, Ohio; and

WHEREAS, the Cuyahoga County Planning Commission adopted the proposed amendments to the Subdivision Platting Rules for the Unincorporated Areas of Cuyahoga County, Ohio as shown in Exhibit A attached hereto on May 14, 2020 and recommends that the Cuyahoga County Council approve the proposed amendments.

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

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

SECTION 1. The Cuyahoga County Council hereby approves the proposed amendments to the Subdivision Platting Rules for the Unincorporated Areas of Cuyahoga County, Ohio as shown in Exhibit A attached hereto and incorporated herein.

SECTION 2. That upon approval of these amendments by Cuyahoga County Council, they shall become effective from and after the date of their adoption and certification by the Cuyahoga County Fiscal Officer as required by Chapter 711 of the Ohio Revised Code. Additionally, a copy of the approved amendments shall be certified by the Cuyahoga County Planning Commission and then transmitted to the Cuyahoga County Council, Cuyahoga County Clerk of Council, Cuyahoga County Department of Public Works, Cuyahoga County Board of Health, Cuyahoga Soil and Water Conservation District, Board of Township Trustees of Chagrin Falls Township and Board of Township Trustees of Olmsted Township.

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

CUYAHOGA COUNTY LAND DEVELOPMENT REGULATIONS

ARTICLE 1.

Subdivision Platting Rules for the Unincorporated Areas of Cuyahoga County, Ohio

Adopted November 8, 2007
Effective November 16, 2007
Amended _____, Effective _____

**Prepared by the
Cuyahoga County
Subdivision Review Task Force**

**Cuyahoga County
2079 E. 9th Street, Suite 500
Cleveland, Ohio 44115
(216) 443-3700
Fax: (216) 443-3737**

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CHAPTER 101. GENERAL PROVISIONS

SECTION 101.1 TITLE

These regulations shall be known and may be cited and referred to as the "Subdivision Regulations of Cuyahoga County, Ohio," and shall hereinafter be referred to as these "Regulations".

SECTION 101.2 PURPOSE

The purpose of these Regulations is to regulate the subdivision of land in the unincorporated portions of Cuyahoga County. These regulations are intended to:

- A. Promote and protect the public health, safety, and general welfare of the community by establishing standards for logical, sound and economical development and the construction of all public improvements.
- B. Provide for adequate light, air and privacy, to secure safety from fire, flood, and other danger and to prevent population congestion and overcrowding of the land.
- C. Promote the efficient use of land to provide for the orderly expansion and extension of community services and facilities.
- D. Secure and provide for the proper arrangement of streets in relation to those existing or planned to encourage the safe and convenient circulation of pedestrians and vehicles, including access of public safety and public service equipment, and to provide for the most beneficial relationship between use of land, buildings, traffic and pedestrian movements.
- E. To incorporate elements of complete streets design.
- F. Plan for the provision of adequate and convenient recreation and open space facilities.
- G. Ensure that lots are developed with adequate site improvements including street surfacing, curbs and sidewalks, water supply, sewage disposal systems, drainage facilities as well as other health related requirements.
- H. Ensure that subdivisions are planned, designed and constructed to take advantage of and respect the natural features of the site in order to: minimize the amount of grading, destruction of trees and removal of topsoil; protect the total environment, including the prevention of air, water, light and noise pollution and the prevention of soil erosion; and establish and preserve natural systems required for the proper management of water and biological diversity.
- I. Coordinate land development in accordance with applicable township regulations, local thoroughfare plans and other regulations of the township in which the subdivision is located, Cuyahoga County, the State of Ohio and the federal government to ensure that unbuildable lots are not created.

- J. Provide for necessary utility easements and the dedication of public ownership and maintenance of the rights-of-way for transportation.
- K. Ensure the accurate surveying, preparing and recording of plats and subdivisions of land, and the equitable review of all subdivisions and plats by providing standards and uniform procedures for both the approving authority and subdivider.

SECTION 101.3 JURISDICTION

These regulations shall apply to all subdivisions of land, as defined herein, in the unincorporated areas of Cuyahoga County, and shall be administered pursuant to the provisions hereof.

SECTION 101.4 AUTHORITY

The authority for the preparation, adoption, and implementation of these Regulations is derived from Chapter 711 of the Ohio Revised Code, as may be amended, which authorizes the Cuyahoga County Executive, Cuyahoga County Council and the Cuyahoga County Planning Commission to adopt uniform rules and regulations governing the subdivision of land and the construction of improvements.

SECTION 101.5 SEVERABILITY

If, for any reason, any clause, sentence, paragraph, section or other part of these Regulations should be decided by a court of competent jurisdiction to be invalid, such judgment shall not affect the validity of these Regulations as a whole, or any part thereof, other than the part so held to be invalid. These Regulations shall not abate any legal action pending under prior subdivision regulations and shall not interfere with other applicable laws and regulations or with deed restrictions.

SECTION 101.6 INTERPRETATION AND RELATION TO OTHER LAWS

- A. In their interpretation and application, these Subdivision Regulations shall be held to be the minimum requirements necessary for the promotion of the public health, safety and general welfare, unless otherwise specifically stated. They shall be liberally construed to further the purposes and objectives set forth herein.
- B. These regulations shall be administered in conjunction with the current Cuyahoga County Engineer's Township Subdivision Street Design Standards and Improvement Plan Requirements, herein referred to as County Engineer's Improvement Requirements, the County Water Management and Sediment Control Regulations, the Cuyahoga County Engineer's "Minimum Construction Standards for Township Subdivision Streets (Local)", the Cuyahoga County Rules and Regulations Governing the Installation of Water and Sewerage Improvement, and Uniform Standards for Sewerage Improvements, which standards and specifications are incorporated herein by reference.

- C. The provisions of these Regulations shall be supplementary to and read in conjunction with all other provisions of the federal, state and local laws, regulations, ordinances, resolutions and orders in which the subdivision is located pertaining to but not limited to health, engineering, sanitation, and stormwater management and sediment control promulgated pursuant to the authority thereof relating to the purpose and scope of these Regulations and all applicable township regulations.
- D. Whenever the requirements of these Regulations are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolution, the most restrictive or that imposing the higher standards shall govern, except as provided herein or unless otherwise required by law. In the case of these Regulations conflicting with state statutes, the state statutes shall govern.
- E. All proposed subdivisions shall meet the requirements of all applicable township regulations, as well as the provisions of these Regulations. Nothing contained in these Regulations, nor in any approval granted hereunder, shall be considered as issuing, constituting, waiving, promising or guaranteeing the issuance of any township permit, certificate or variance as may be required by virtue of the authority granted to townships in the Ohio Revised Code.

SECTION 101.7 EFFECTIVE DATE

These regulations and amendments thereto, shall take effect and be in full force and effect from and after the earliest period allowed by law following approval by the Cuyahoga County Executive and the Cuyahoga County Council of Cuyahoga County, Ohio and adoption by the Cuyahoga County Planning Commission. Upon the adoption of these Regulations, according to law, Article 1. Subdivision Platting Rules for the Unincorporated Areas of Cuyahoga County, Ohio, of the Cuyahoga County Land Development Regulations, adopted January 22, 1941, and, and as thereafter amended, are hereby repealed. These Regulations shall in no way affect any subdivision having received Preliminary Plan approval prior to the effective date of these Regulations or any amendment thereto, provided however that no changes to the Preliminary Plan, as approved, are introduced by the subdivider subsequent to the effective date of these Regulations.

SECTION 101.8 SAVING PROVISION

These regulations shall not be construed as abating any action now pending under, or by virtue of, prior existing subdivision regulations, or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the County under any section or provision existing at the time of adoption of these Regulations, or as vacating or annulling any rights obtained by any person, firm, or corporation by lawful action of the County except as shall be expressly provided for in these Regulations.

SECTION 101.9 DISCLAIMER OF LIABILITY

In no case shall the submission of a plan or plat under the provisions herein, approval of a plan or plat by the County Planning Commission, nor compliance with the provisions of these Subdivision Regulations, relieve any person from responsibility for damage to any person or property that is otherwise imposed by law. Moreover, the approval of a plan or plat by the County Planning Commission does not warranty the quality or accuracy of the plans nor guarantee such to be free of errors and omissions.

CHAPTER 102. DEFINITIONS

SECTION 102.1 INTERPRETATION AND DEFINITIONS OF TERMS OR WORDS

A. For the purpose of these Regulations, certain terms or words used herein shall be interpreted as follows:

1. The words "Commission" and "Planning Commission", unless another local government agency having jurisdiction over a proposed subdivision is specifically mentioned, shall be construed as being the Cuyahoga County Planning Commission or its successor organization.
2. The word "County" shall be construed as being Cuyahoga County, State of Ohio. For example, County Executive shall mean the Cuyahoga County Executive, County Public Works shall mean the Cuyahoga County Department of Public Works, and County Law shall mean the Cuyahoga County Department of Law.
3. The term "these Regulations" shall mean the Subdivision Regulations of Cuyahoga County, Ohio.
4. The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.
5. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular.
6. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
7. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied".
8. The word "lot" includes the words "plot" or "parcel".
9. The term "business day" means a day of the week excluding Saturday, Sunday, or a legal holiday as defined in ORC § 1.14.

B. Definitions of Terms or Words:

Applicant: The owner(s) of land proposed to be subdivided and developed or his/her/their representative who shall have express written authority to act on behalf of the owner. Consent shall be required from the legal owner of the premises. A Developer or Subdivider may also be an "applicant" as defined herein provided it has the express written authority to act on behalf of the owner.

Arterial Street: See Street, Road or Thoroughfare.

Block: A tract of land bounded by streets, or by a combination of streets and public parks, cemeteries, railroad rights-of-way, waterways, or boundary lines of a municipality or township.

Building: Any structure having a roof supported by columns or walls and built for the support, shelter, enclosure or protection of persons, animals, chattels or property.

Building Setback Line: A line established by the township zoning resolution in effect for the area proposed to be subdivided which is generally parallel with and measured from the street right-of-way line or other lot line and which defines the area of the lot in which no building shall be located.

Central Sewerage System: An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community or region.

Central Water System: An approved water treatment, distribution and supply system which is owned and operated by a municipality, county or a public or private utility system approved by the Ohio Environmental Protection Agency, and which provides piped water for human consumption to a single development, community or region.

Collector Street: See Street, Road or Thoroughfare.

Common Driveway: A private way that provides vehicular access to at least two but not more than four dwelling units.

Comprehensive Storm Water Management Plan (SWMP): A set of coordinated plans regarding water management, including a Post-Construction Water Quality Plan and a Construction Site Conservation Plan, that are developed for the same site, and which serve as the Storm Water Pollution Prevention Plan (SWP3) required by the Cuyahoga County Water Management and Sediment Control Regulations and the Ohio EPA as part of the NPDES Storm Water Permit for General Construction.

County Council: The Cuyahoga County Council is the legislative body of Cuyahoga County government, made up of 11 elected representatives from across the County. It is a co-equal branch of the County government with the executive branch.

County Executive: The Cuyahoga County Executive, defined by Chapter 302 of the Ohio Revised Code, who shall be the chief executive officer of the county.

County Public Works: The Cuyahoga County Department of Public Works houses infrastructure engineers including highway, bridge, and storm and sanitary engineers. The Public Works Department is established pursuant to the Code of Cuyahoga County Section 202.04.

County Engineer: The registered professional engineer within County Public Works, designated by the Director of County Public Works, to be the county engineer as provided in the Code of Cuyahoga County Section 202.04, Paragraph C.

Cuyahoga County Engineer's Township Subdivision Street Design Standards And Improvement Plan Requirements and Cuyahoga County Engineer's Minimum Construction Standards for Township

Subdivision Streets (Local): Regulations promulgated by the Cuyahoga County Public Works office that set forth standards for the construction of streets in the unincorporated areas of Cuyahoga County and including all amendments thereto adopted subsequent to the effective date of these Regulations, and referred to as the “County Engineer’s Improvement Requirements” throughout these regulations.

County Department of Law and Law Director: The department of law shall be administered by a director of law who shall be an attorney-at-law admitted to the practice of law in this state. The director of law shall exercise all powers, duties, and responsibilities as set forth in Cuyahoga County Code 202.05 and the Cuyahoga County Charter.

County Planning Commission: The Cuyahoga County Planning Commission, which consists of three county representatives and a representative of the county’s eight planning regions. Regional representatives are mayors or alternates of one of the communities in each region. The County Planning Commission is assisted by County Planning Commission staff.

County Planning Director: The Cuyahoga County Planning Commission Executive Director designated to assist the County Planning Commission in administering the Cuyahoga County Subdivision Regulations. Duties of the County Planning Director may also be performed by a designated agent.

County Sanitary Engineer: The Registered Professional Engineer within County Public Works, designated by the Director of County Public Works, to perform duties of the County Sanitary Engineer, defined in ORC §6117.01.

County Thoroughfare Plan/Major Thoroughfare Plan: The officially adopted and endorsed Cuyahoga County Thoroughfare Plan, if in existence.

Covenant: A written promise or pledge.

Cul-de-sac: See Street, Road or Thoroughfare.

Cuyahoga County Transfer and Conveyance Standards: Rules and regulations adopted in accordance with Ohio Revised Code Sections 315.251, 317.22, 319.203, 711.101, 2113.61, 5301.252, 5302.17, and 5311.10 and Ohio Administrative Code 4733-37 governing the preparation and approval of survey plats and legal descriptions for the purpose of preparing and recording conveyances of real property in Cuyahoga County and including all amendments thereto adopted subsequent to the effective date of these Regulations.

Dead-end Street: See Street, Road or Thoroughfare.

Dedication: The appropriation of land, or an easement therein, for the use of the public and accepted for such use by or on behalf of the public.

Density: A unit of measurement which indicates the number of dwelling units per acre of land.

Developer or Subdivider: The following apply

1. A person having an interest in land and who causes it, directly or indirectly, to be divided into a subdivision.
2. A person who engages directly or through an agent in the business of selling, leasing, developing or offering for sale, lease or development a subdivision or any interest, lot, parcel, site, unit or plat in a subdivision.
3. A person who is the authorized agent of any of the foregoing.

Dwelling Unit: A structure that is used in whole or in part as a home, residence, or sleeping place by one person who maintains a household or by two or more persons who maintain a common household, and the facilities and appurtenances in it.

Easement: Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his property, created by grant, prescription, or necessity.

Engineer: A person registered to practice professional engineering by the State Board of Registration, as specified in Chapter 4733 of the Ohio Revised Code.

EPA: Environmental Protection Agency

Final Plat: The map upon which an applicant's plan of subdivision is presented to the County Planning Director and Commission, when required, to the County Executive and County Council for approval, which after gaining such approval may then be presented to the County Fiscal Office for the purpose of recording in accordance with these Regulations.

Floodplain: Any land susceptible to being inundated by water from a base flood. The base flood is the flood that has a one percent (1%) or greater chance of being equaled or exceeded in any given year. For the purposes of this regulation, the 100-year floodplain shall be defined by FEMA or a site-specific Floodplain Delineation in conformance with standard engineering practices and approved by the County.

Health Department: The Cuyahoga County Board of Health.

Improvement: Public and private street pavement or resurfacing, curbs, gutters, sidewalks, walkways, water lines, sewer lines, storm drains, street lights, street trees, flood control and drainage facilities including stormwater retention, detention and water management controls, home sewage and water systems, utility lines, landscaping and other related matters normally associated with the development of raw land into building sites.

Improvement Plan: The maps, plans and drawings showing the specific location and design of improvements to be installed in a proposed subdivision in accordance with the requirements specified in these Regulations.

Lot: For the purposes of these Regulations, a division of land separated or proposed to be separated from other divisions of land by description on a recorded subdivision plat or a recorded survey for purposes of sale, lease, purchase, agreement or separate use.

Maintenance Guarantee: An instrument provided by an applicant for the benefit of the County, the Township, and a Homeowners Association (when applicable) for a portion of the amount of the actual construction cost of an improvement required by these Regulations and guaranteeing the maintenance of the improvements in accordance with Section 105.1 of these regulations.

Master Subdivision Plan: A plan for the overall division of land indicating proposed development of a contiguous area where multiple separate and distinct construction activities may be taking place at different times on different schedules under one overall plan.

Modification: A waiver of the strict terms of a requirement set forth in these Regulations.

Monuments: Permanent concrete, stone or iron markers placed on the tract of land to be subdivided and used to establish definitely all lines on a Final Plat of a subdivision, including all lot corners, boundary lines, corners and points of change in a street alignment.

Natural Feature: An existing component of the landscape maintained as a part of the natural environment and having ecological value in contributing beneficially to air quality, erosion control, groundwater recharge, noise abatement, visual amenities, the natural diversity of plant and animal species, human recreation, reduction of climatic stress, or energy costs.

Northeast Ohio Regional Sewer District: The District is responsible for wastewater treatment facilities, stormwater management, and interceptor sewers in the greater Cleveland Metropolitan Area, including all or portions of 61 suburban municipalities in Cuyahoga, Summit, Lake and Lorain Counties. The Northeast Ohio Regional Sewer District is a reviewing agency for Preliminary Plans, Improvements Plans and Final Plats of Major Subdivisions.

North Olmsted: City of North Olmsted. North Olmsted will be included as a reviewing agency when the new subdivision falls within the North Olmsted sanitary sewer service area.

NPDES Permit: A National Pollutant Discharge Elimination System Permit issued by Ohio EPA under the authority of the United States EPA, and derived from the Federal Clean Water Act.

On-Site Sewage Treatment System: An approved household sewage treatment system which services a one, two, or three family dwelling and provides treatment of domestic sewage for an individual property.

Original Tract: A tract of land as it existed on the effective date of these Subdivision Regulations, 11/16/07; when the regulations were amended in accordance with Sub S.B. 115 amendment to ORC §711.131 (B), effective 4/15/05.

OAC: Ohio Administrative Code, and including all amendments thereto adopted subsequent to the effective date of these Regulations.

Ohio EPA or OEPA: The Ohio Environmental Protection Agency.

ORC: Ohio Revised Code, and including all amendments thereto adopted subsequent to the effective date of these Regulations.

Performance Guarantee: An instrument provided by an applicant for the benefit of the County, the Township, and a Homeowners Association (when applicable) for the amount of the estimated construction cost guaranteeing the completion of physical improvements required by these Regulations within the time prescribed by the guarantee in accordance with Section 105.2 of these regulations.

Plat: A map of a tract or parcel of land.

Person: Any individual, corporation, partnership, joint venture, agency, unincorporated association, municipal corporation, township, county, state agency, the federal government, or any combination thereof.

Preliminary Discussion Sketch: A scaled, informal map of a proposed subdivision that is submitted to the County Planning Director for the purpose of discussion and initial review with the County Public Works' office and County Law Director's office to identify existing or potential site problems and opportunities.

Preliminary Plan: The plan or plans as submitted to the County Planning Commission for preliminary approval that indicate the proposed layout of a subdivision together with all data as required in Section 104.5 of these Regulations.

Public Way: An alley, avenue, bikeway, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, path or other way in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

Record, to: To put a document or plat into the official records of Cuyahoga County Fiscal Office in accordance with the ORC and the procedures established by the Cuyahoga County Fiscal Office.

Reserve Strip: A strip of land abutting the end of a dead-end street or temporary cul-de-sac which controls access from the end of the street to adjacent property.

Reviewing Entities: County, Township, and Regional and State agencies, officials, and staff involved in reviewing for compliance and safety the Preliminary Plans and Final Plats of major subdivisions. These agencies include County Public Works Department (County Engineer, Sanitary Engineer), County Board of Health (if subdivision involves septic tanks), the Cuyahoga Soil and Water Conservation District, Township Trustees, Township Fiscal Officer, Zoning Commission Chair and/or Secretary, Township Building Department and Township Zoning Inspector, Township Fire Department, Township Police Department, O.D.O.T., the Northeast Ohio Regional Sewer District, and the City of North Olmsted (when the new subdivision falls within the North Olmsted sanitary sewer service area).

Right-of-Way: A strip of land taken or dedicated for use as a public way.

Rules And Regulations Governing The Installation Of Water And Sewerage Improvements: Rules and regulations adopted, and as may be amended, by the County Executive and/or County Council as applicable.

Sidewalk: That portion of the road right-of-way outside the vehicular roadway, which is improved for the use of pedestrian traffic.

Street, Private: A local private way that provides vehicular access to more than four residential structures, which is located in a recorded easement for use by residents of the development in which the private way is located, which shall be owned and maintained by an Association, management organization or other private entity.

Street, Public: A public way that provides vehicular access to land, is located in a right-of-way shown on the plat or other conveyance of dedication, the dedication of which has been approved by the County Executive and/or County Council as applicable and is either a county road maintained by Cuyahoga County or a township road maintained by the Township.

Street, Road or Thoroughfare: The full width between property lines bounding every public way or private way of whatever nature, with a part thereof to be used for vehicular traffic and designated as follows. For the purposes of these regulations, “street” shall be synonymous with “road”.

1. Arterial, Principal: A general term denoting a highway emphasizing a high level of mobility for through traffic carrying heavy loads and large traffic volumes usually on a continuous route that collects and distributes traffic to and from minor arterials. Land access is subordinate to this primary function.
2. Arterial, Major: A street that interconnects with and augments the principal arterial; serves trips of moderate length at a somewhat lower level of travel mobility than principal arterials; distributes traffic to connector streets; provides more land access than principal arterials without penetrating identifiable neighborhoods; and provides urban connections for rural collectors.
3. Collector: A street, whether within a residential, industrial, commercial or other type of development, that primarily distributes and channels traffic from local streets to arterial streets and penetrates residential neighborhoods.
4. Collector, Minor: A street spaced at intervals to collect traffic from local roads and bring all developed areas within reasonable distance of a collector; which provides service to smaller communities not served by a higher-class facility; and which connects locally important traffic generators with rural hinterlands.
5. Cul-de-sac: A local street of relatively short length with one (1) end open to traffic and the other end terminating in a vehicular turnaround.
6. Dead-end Street: A street temporarily having only one (1) outlet for vehicular traffic and intended to be extended or continued in the future.
7. Local Street: A street, either a township road or a private road, which is used primarily for providing direct access to residential, commercial or other abutting property between

collector streets. Travel speeds, distances, and volumes are generally low, and through traffic is usually discouraged.

8. Loop Street: A type of local street that has its only ingress and egress on the same collector street.
9. Marginal Access Street: A local or collector street, parallel and adjacent to an arterial street, providing access to abutting properties from arterial streets.

Structure: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences, billboards, signs, oil and gas well heads, tanks, separator units and pipelines, culverts and bridges.

Subdivision: Shall include either of the following:

1. The division of any parcel of land shown as a unit or as contiguous units on the last preceding general tax list and duplicate of real and public utility property, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres, for the purpose, whether immediate or future, of transfer of ownership, provided, however, that the following are exempt:
 - a) The division or partition of land into parcels of more than five (5) acres not involving any new streets or new or existing easements of access, and
 - b) The sale or exchange of parcels between adjoining lot owners, where that sale or exchange does not create additional building sites

or

2. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any public or private street or streets except private streets serving industrial structures, or involving the division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage or other similar facilities.

Subdivision, Major: Any one of the following:

1. Where one parcel is divided into two (2) or more parcels and involves the opening of a new street, road or easement of access or the widening or extension of any street, road, or easement of access.
2. Where an original tract of land along an existing public street is divided into more than five lots, any one of which is less than five (5) acres.

3. Where there is a division or allocation of land as open spaces for common use by owners, occupants, or leaseholders or as easements for the extension and maintenance of public or private sewer, water, storm drainage or other similar facilities.
4. Where there is a development of dwelling units involving the creation of more than five (5) new taxable properties.
5. Any other division of land determined to be a subdivision but which is not otherwise classified as a minor subdivision.
6. Cumulative parcel division will be taken into consideration when determining if a subdivision of land is a minor or a major subdivision, such that even minor subdivisions or lot splits to the parent parcel, over time, can become a major subdivision.

(See Illustrations 1 and 2 for examples.)

Subdivision, Minor: A division of a parcel of land along an existing public street, not involving the opening, widening, or extension of any public street, and involving no more than five lots, any one of which is less than five (5) acres, after the original tract has been completely subdivided. (See Illustrations 1 and 2 for examples.)

Sublot: See Lot.

Surveyor: Any person registered to practice professional surveying by the State of Ohio Board of Registration as specified in Section 4733.14 of the Ohio Revised Code.

SWCD: The Cuyahoga Soil and Water Conservation District.

Through Lot: A lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as double frontage lots.

Tract: The entire land area proposed for subdivision by the applicant.

Uniform Standards for Sewerage Improvements: Standards adopted by the County Sanitary Engineer governing the minimum requirements for design and construction of sewerage and stormwater facilities in Cuyahoga County, and including all amendments thereto adopted subsequent to the effective date of these Regulations.

Vicinity Map: A drawing located on a plat or drawing which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within the County in order to better locate and orient the area in question.

Walkway: A public way, four (4) feet or more in width, for pedestrian use only, whether along the side of a road or not.

Water Management Regulations: Rules that establish management and conservation practices that govern stormwater, water quality, water quantity, erosion and sediment control, and including all amendments thereto adopted. These specifically include:

1. *Cuyahoga County Water Management and Sediment Control Regulations (WMSC Regulations):* Water Management Regulations adopted by the County Executive and County Council.
2. *Comprehensive Storm Water Management Plan* Including Construction Site Storm Water Control Regulations and Post Construction Storm Water Management in New Development and Redevelopment Regulations: Water Management Regulations adopted by the Township.

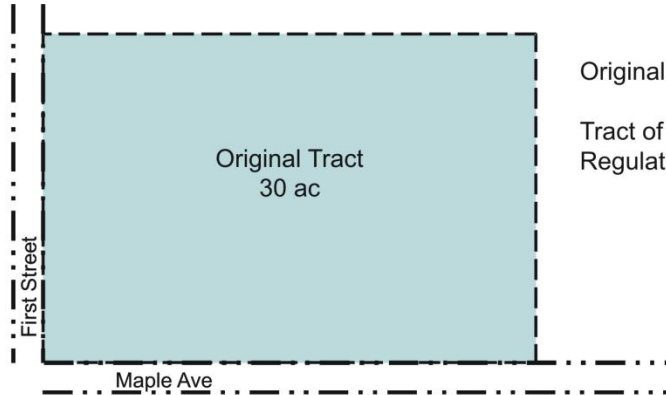
Watercourse: Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, ravine, or wash in which water flows in a definite direction or course, either continuously or intermittently, and has a definite channel, bed, and banks and includes any area adjacent thereto subject to inundation by reason of overflow or flood water, as shown on the Cuyahoga County Soils Map or County Topography Map.

Wetland: An area of land as defined by the U.S. Army Corps of Engineers.

SECTION 102.2 EXAMPLES OF TERMS AND SUBDIVISION TYPES

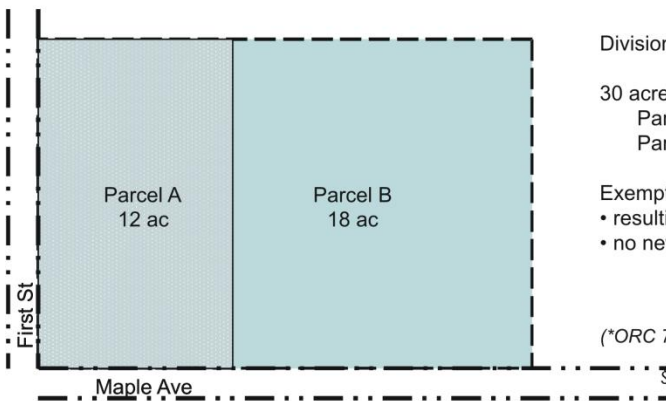
Original Tract, Minor Subdivision and Major Subdivision -(these drawings are for illustrative purposes only and are not intended to be regulatory)

Illustration 1. Evolution of the division of a 30 Acre Parcel: Need new graphic—perhaps reference parent parcel as baseline for all subdivision



Original Tract of Land – 30 acre parcel.

Tract of land existing on the date which these Regulations became effective.



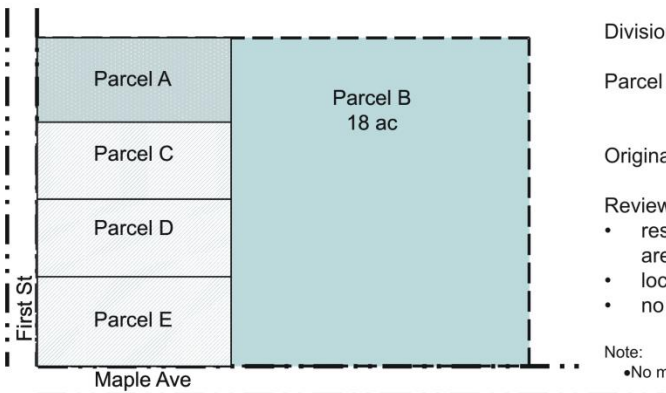
Division 1

30 acre parcel (Original Tract*) subdivided into two parcels:
Parcel A = 12 acres
Parcel B = 18 acres

Exempt from County Planning Commission review because:

- resulting parcels are larger than 5 acres, and
- no new street is created.

(*ORC 711.10 amended in 5/05)



Division 2

Parcel A subdivided into four parcels:
Parcels A, C, D and E = 3 acres each

Original Tract has now been subdivided into five lots.

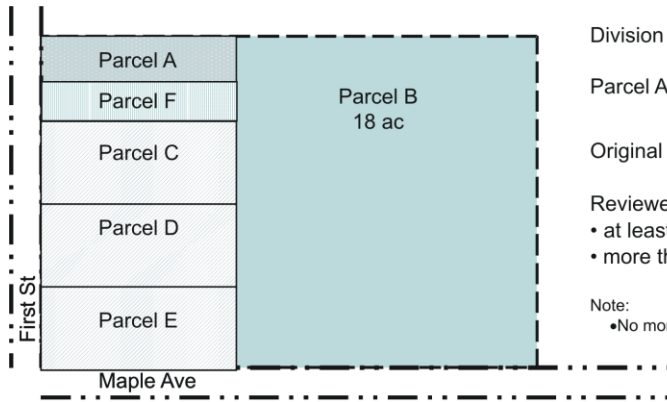
Reviewed as **minor subdivision** because:

- resulting parcels are under 5 acres and not more than five lots are created
- located along an existing street,
- no new street is created.

Note:

- No more than five lots can be created as part of a minor subdivision.

Illustration 2. Evolution of the division of a 50 Acre Parcel



Division 3

Parcel A (3ac) subdivided into two parcels:
Parcels A and F = 1.5 acres each

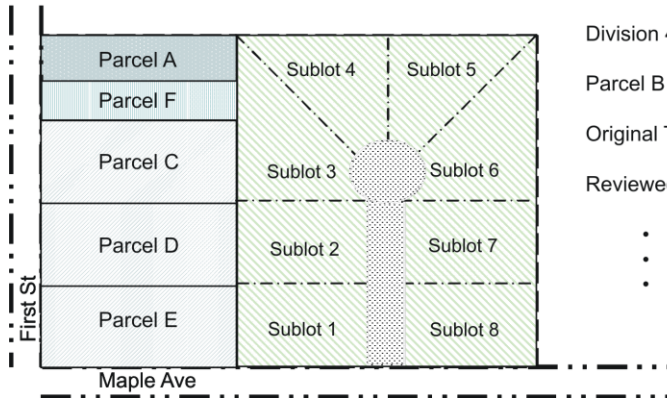
Original Tract has now been subdivided into six lots.

Reviewed as **major subdivision** because:

- at least one of the resulting parcels is under five acres,
- more than five lots have been created from the original tract.

Note:

- No more than five lots can be created as part of a minor subdivision.



Division 4

Parcel B subdivided into 8 sublots:

Original Tract has now been subdivided into 13 lots

Reviewed as **major subdivision** because:

- More than five lots are created from original tract, and
- Lots are smaller than five acres
- A new street is created

CHAPTER 103. MINOR SUBDIVISIONS

SECTION 103.1 PURPOSE

The purpose of this Chapter is to establish the procedures that shall be followed for the review, approval and recording of subdivisions which, based on the number of lots involved, the area of the lots created, and the absence of improvements being constructed, warrant a simplified review process according to the ORC §§711.131 and 711.133, as may be amended.

Only minor subdivisions, as herein defined and which according to these Regulations shall be located along an existing public street, not involving the opening, widening, or extension of any street or road, shall be eligible for review according to these review procedures.

SECTION 103.2 GENERAL REQUIREMENTS

- A. Prior to submitting a Minor Subdivision application to the County Planning Commission, the applicant must submit written proof that the minor subdivision has been approved by the local authority. This approval shall state that the minor subdivision complies with all township zoning and other applicable regulations.
- B. Original tracts divided by a public road right of way shall be considered as separate parcels for the purpose of these Regulations.
- C. Each lot shall be buildable in conformance with the requirements of these Regulations and all other applicable regulations.
- D. Each lot shall abut a public street for the required minimum lot frontage for the zoning district where the lots are located.
- E. If any lot abuts a street right-of-way that does not conform to the design specifications of these Regulations, or the County Engineer has established additional right-of-way requirements on the County Thoroughfare Plan, such deficiency or planned right-of-way shall be taken into consideration at the time the application is submitted.
- F. The division of a parcel of land as a minor subdivision shall not include more than five lots after the original tract has been subdivided. Further subdivision of such original tract of land may require the applicant to submit a plat in accordance with requirements for major subdivisions set forth in these Regulations.
- G. Each lot shall comply with all township regulations, or the applicant shall have obtained any necessary variance(s) from the Township Board of Zoning Appeals, and the Township Zoning Inspector shall affix his/her signature to the drawing of the subdivision as part of the submission of an application for minor subdivision.

- H. All corners of the proposed lot(s) shall be temporarily staked prior to submitting an application to the County Planning Director so that the required review agencies can easily identify the location of the proposed lot(s).

SECTION 103.3 DETERMINATION OF COMPLETENESS

All subdivision applications shall be complete before acceptance for review and decision-making. A determination of completeness is a determination that all required documents and plans have been submitted in sufficient number, and that all fees have been paid. A determination of completeness is not a determination of compliance with substantive standards and criteria.

If the application is deemed insufficient, the applicant shall be notified of the deficiencies.

When the application is determined complete and all applicable fees have been paid, the application shall be considered submitted and ready for review.

SECTION 103.4 SUBMISSION REQUIREMENTS

The application for Minor Subdivision Review shall include the maps, plans, and supplementary documentation itemized below. The information submitted shall include the following, submitted on a sheet no smaller than legal size (8 ½" by 14") and drawn to a scale no larger than 1" = 100' so as to be clear and legible:

- A. Completed Application Form along with the application fee (fee schedule found in the Appendix hereof).
- B. A proposed land division vicinity map or copy of the tax map for that area.
- C. A survey and legal description prepared in accordance with OAC Chapter 4733-37 and the current Cuyahoga County Transfer and Conveyance Standards.
- D. A plan prepared by an engineer or surveyor. The Plan may be combined with the survey or may be a separate drawing. The Plan shall include the following:
 - 1. All existing and newly created lot lines for all proposed lot(s) and the residual and noting their dimensions and acreage and showing the required building setbacks;
 - 2. All adjoining public streets, including the dimensions of the street right-of-way;
 - 3. All existing above ground structures (including rakes and overhangs) located on the parcels and on adjacent parcels within 100 feet of the parcel lot line.
 - 4. Any existing points of access.

5. The location of all easements and other areas where the construction of a structure is restricted.
 6. The Federal Insurance Rate Map (FIRM) Number, Effective Date, and Flood Zone Designation (for each proposed lot).
 7. The State, County, Township, Range, Township Name, and Section Number.
 8. Notarized and dated signature of each property owner, and including the notary's seal, indicating that the owner(s) of the parcel(s) being divided accept the proposed partition shown on the survey.
 9. Signature(s) of the Township Trustees, or their designated agent, indicating the proposed subdivision complies with township zoning and other applicable township regulations.
- E. A separate plan prepared by an engineer or surveyor shall contain the following information, not to be included on the plat or survey:
1. Utilities on and within 200 feet of the subdivision - location and size of sanitary and storm sewers (both mainline and connections) location and size of water mains (both mainline and connections), location of existing stormwater management features, location of gas lines, fire hydrants and utility poles.
 2. The location of all watercourses and wetlands and their required setbacks, determined by a professional wetlands consultant.
 3. Water quality BMPs and other permanent features required by any agency or law that will reduce the buildable area of any lot.
- F. Any other material or information the County Planning Director finds necessary for the review of the minor subdivision, such as a long-term operations and maintenance manual for any proposed water quality BMPs (SCMs), if applicable

SECTION 103.5 REVIEW OF APPLICATION

Once a determination of completeness has been made according to Section 103.3, the County Planning Director shall:

- A. Forward copies of the complete application to the proper agencies, departments or other appropriate individuals or organizations for review and report. Such agencies, departments, individuals or organizations shall review the application and submit a recommendation to the County Planning Director within the required time from the date the application is deemed complete. These agencies may have additional requirements, in addition to these Regulations, if the agency determines such requirements are necessary to promote the public health and safety.
 1. The County Engineer within the Public Works Department shall review all proposed minor subdivisions.

2. The Sanitary Engineer within the Department of Public Works shall review a proposed minor subdivision when the proposed subdivision is to be serviced by public water and/or public sewer.
 3. The Health Department shall review a proposed minor subdivision where existing public water and/or sewer services are not provided to determine whether or not the proposed lot(s) are adequate for on-site water and/or sewer system(s).
- B. Review the proposed subdivision and reports submitted by the above entities to determine whether or not the subdivision is contrary to applicable platting, subdividing, zoning, health, sanitary, or access management regulations or regulations adopted by the County Executive and County Council under ORC § 307.37 regarding existing surface or subsurface drainage, including, but not limited to rules governing household sewage disposal systems.

SECTION 103.6 DESIGN STANDARDS

- A. All minor subdivision shall conform to applicable Township regulations and standards.
- B. If a minor subdivision occurs within a larger subdivision, all lots within that minor subdivision shall conform to the design standards and Home Owners Association requirements approved within that larger subdivision.

SECTION 103.7 COUNTY PLANNING DIRECTOR ACTION

- A. If the application is found in compliance with these regulations, the County Planning Director shall approve the proposed subdivision within the applicable timeframe listed in Division B. of this Section and, on presentation of a conveyance of the parcel, shall stamp the conveyance "Approved, Cuyahoga County Planning Commission, No Plat Required" and shall sign the conveyance.
- B. A proposed minor subdivision subject to approval in accordance with this Chapter shall approve or disapprove within seven (7) business days after submission of a complete application.
- C. An approved and stamped conveyance shall be returned to the applicant.
- D. If an application is disapproved, the applicant shall be notified in writing by the County Planning Director as to the reasons for disapproval.

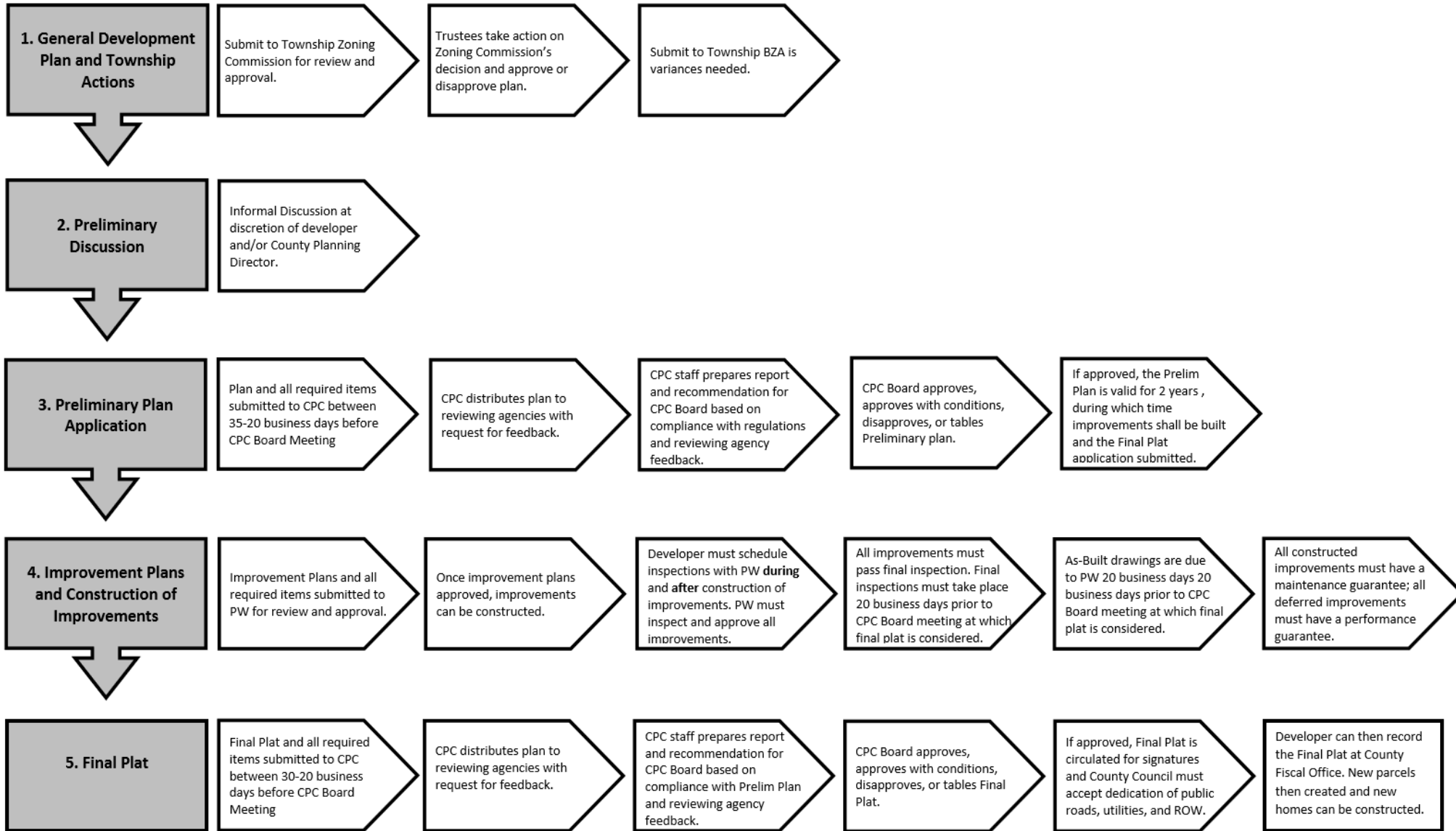
SECTION 103.8 RECORDING

The applicant shall record the approved and stamped conveyance with the Cuyahoga County Fiscal Office within thirty (30) days from the date of approval; otherwise the Final Plat of the subdivision shall be updated before it is recorded to comply with County Conveyance standards if there have been any changes in ownership.

SECTION 103.9 FEES AND WITHDRAWAL PROCEDURE

Once a complete application is submitted, fees shall be non-refundable. Prior to the County Planning Director's action, any submitted application may be withdrawn by written request. A withdrawn application shall become void, requiring a new application and fee for further consideration.

Major Subdivision Flowchart



CHAPTER 104. MAJOR SUBDIVISIONS

SECTION 104.1 PURPOSE

The purpose of this Chapter is to establish procedures authorized by ORC §711.10, as may be amended, that shall be followed for the review, approval and recording of major subdivisions within the unincorporated portions of Cuyahoga County, and to ensure that all major subdivisions have the appropriate available supporting infrastructure and are consistent with all applicable zoning regulations, policies, standards, and applicable requirements of the township and the applicable requirements of County Public Works, including the County Engineer and the County Sanitary Engineer, County Health Department, and the County Planning Commission.

SECTION 104.2 ACTIONS GOVERNED BY SUBDIVISION CODE – SUMMARY OF REVIEW PROCEDURES

Major subdivisions as herein defined shall be reviewed in four steps: preliminary discussion, Preliminary Plan, Improvement Plan, and the Final Plat.

- A. The Preliminary Discussion allows the applicant to meet with appropriate reviewing authorities to discuss the proposed subdivision in relation to these Regulations, as well as existing conditions and future planning. Further Preliminary Discussion guidelines are contained in Section 104.4 hereof.
- B. The Preliminary Plan requires the applicant to present all information needed to determine that the proposed subdivision satisfies all of the requirements hereof and will serve the public interest. Further Preliminary Plan guidelines are contained in Section 104.5 hereof.
- C. The Improvement Plan requires the applicant to present improvement or construction plans to Public Works (for review of both the County Engineer and the County Sanitary Engineer), the township, the County Health Department as appropriate and other agencies deemed necessary by the County Planning Commission to obtain the needed approvals. Further Improvement Plan guidelines are contained in Section 104.6 hereof.
- D. The Final Plat requires the applicant to present all data needed to determine that the subdivision fully complies with these Regulations. Further Final Plat guidelines are contained in Section 104.7 hereof.

SECTION 104.3 DETERMINATION OF COMPLETENESS

- A. All subdivision applications at every stage, including the Preliminary Plan stage, the Improvement Plan stage, and the Final Plat stage shall be complete before acceptance for review and decision-making. A determination of completeness is a determination that all required documents and plans have been submitted in sufficient number, and that all fees have been paid. A determination of completeness is not a determination of compliance with substantive standards and criteria.
- B. If the application is deemed insufficient, the applicant shall be notified of the deficiencies.
- C. When the application is determined complete and all applicable fees have been paid, the application shall be considered submitted and ready for review.

SECTION 104.4 PRELIMINARY DISCUSSION

104.4 (I). Purpose

Prior to submitting an application for preliminary plan review, a subdivider interested in subdividing land into a major subdivision is encouraged and may be required to submit to the County Planning Director a preliminary discussion sketch with the requisite number of copies for distribution as specified by the County Planning Director prior to the submission of a preliminary plan. The preliminary discussion sketch should contain all information listed in Section 104.4 (II) of these Regulations. At the request of the applicant, or at the discretion of the County Planning Director, the County Planning Director shall schedule a preliminary discussion meeting with appropriate subdivision review officials. Copies of the sketch, if any, will be sent to County Public Works, the County Health Department, the Cuyahoga Soil & Water Conservation District, and appropriate township officials. The purpose of the preliminary discussion meeting is to provide advice and assistance concerning the proposed subdivision so the subdivider may prepare the more detailed preliminary plan.

104.4 (II). Preliminary Discussion Sketch

The Preliminary Discussion Sketch should include sufficient information depicting the following:

- A. Location, tract boundaries, township, north arrow and scale.
- B. The boundaries of the entire property proposed to be subdivided and all contiguous parcels of land under the same ownership, and indicating the relationship to existing and planned highways and streets in the surrounding area.
- C. The proposed location of streets and lots within the area proposed to be subdivided.
- D. Sites for other uses such as multi-family dwellings, shopping facilities, churches, industry, or other uses, exclusive of single family dwellings, and the general location and identification of all

proposed or preserved features on the site labeled by proposed use, including areas for open space and water quality or quantity management areas.

- E. An indication of how sewage disposal and water supply will be provided.
- F. The location of existing utility transmission lines and easements on the proposed subdivision site as well as the location of existing utility transmission lines and easements located on parcels within 200 feet of the site that relate to the proposed site.
- G. The site's existing zoning district with information on the minimum lot size requirements.
- H. The existing topography from existing County topography records of the proposed subdivision site as well as the area within 200 feet of the site.
- I. A copy of the Cuyahoga County Soil Survey sheet covering the land area within the subdivision and the adjoining 200 feet.
- J. A copy of the National Wetlands Inventory Map, Ohio Wetlands Inventory or other county wetlands map, or a copy of a privately prepared wetland delineation for all the remaining areas, or its most recent replacement that covers the land area within the subdivision and the adjoining area within 200 feet of the proposed subdivision site.
- K. The location of all watercourses and potential wetlands and their required setbacks projected onto the preliminary discussion sketch.
- L. The name, address, and telephone number of the applicant.
- M. The name and address of the owner of the property to be subdivided.
- N. The date of preparation of the preliminary discussion sketch.
- O. All proposed modifications.

SECTION 104.5 PRELIMINARY PLAN

The Preliminary Plan provides a review process by which County, Township and other appropriate agencies can ensure conformance with the Cuyahoga County Land Development Regulations, Township Zoning Regulations and other applicable legislation as it relates to lot layout, extension of public infrastructure, and conformance with County and Township stormwater control requirements.

Before any plat of lands will be considered or approved by the County Planning Commission, the applicant shall file with the County Planning Director a Preliminary Plan for review and action by the Cuyahoga County Planning Commission.

104.5 (I). Preliminary Plan Submission Procedure

- A. The Preliminary Plan and all required forms and fees must be submitted at least 20 business days but not more than 35 business days before the scheduled meeting of the County Planning

Commission at which the Preliminary Plan will be considered. Completed applications submitted more than 35 business days before the next scheduled meeting shall not be accepted.

- B. The submission date shall be the date that a complete application is submitted for review according to Section 104.3. Once a determination of completeness has been established, the Preliminary Plan be placed on the County Planning Commission's agenda.
- C. The Preliminary Plan application, including required elements, shall be submitted in the form required by Section 104.5 (II) hereof, together with such other data that has been identified at the preliminary discussion stage as being necessary to review the subdivision proposal.
- D. The Preliminary Plan shall encompass the entire parcel, all contiguous parcels of land under the same ownership as the parcel on which the subdivision is proposed, and the adjoining area within 200 feet of the proposed subdivision site, except as otherwise provided in Section 104.9.

104.5 (II). Preliminary Plan Submission Requirements

- A. Timeframe: The Preliminary Plan and all required forms and fees must be submitted at least 20 business days but not more than 35 business days before the scheduled meeting of the County Planning Commission.
- B. Forms and Fees: A completed *APPLICATION FOR PRELIMINARY PLAN APPROVAL* form and application fee are due at the time of submittal to the County Planning Commission. Additional fees will be required at the Improvement Plan stage for review of Improvement Plans.
 - 1. The Application form includes the subdivision name under which the proposed subdivision is to be recorded and the names and addresses of the applicant, the owners, and of the registered surveyor platting the tract.
 - 2. The proposed name of the subdivision shall not duplicate the name of any other subdivision already in use in the County.
 - 3. The *APPLICATION FOR PRELIMINARY PLAN APPROVAL* form is set forth by the County Planning Director. The fee schedule is contained within the Appendix hereof.
- C. Scale: The Preliminary Plan shall be at a scale of 1" = 100'. The minimum sized sheet shall be at least 11" x 17" and the maximum sized sheet shall be 24" by 36". Where necessary, the plan may be on several sheets accompanied by an index sheet showing the entire subdivision.
- D. Copies: Five paper copies and one electronic copy shall be submitted at the time of submittal.
- E. Information included in the Preliminary Plan: The Plan shall be accurately and clearly drawn showing the following:
 - 1. The entire parcel, all contiguous parcels of land under the same ownership as the parcel on which the subdivision is proposed, and the adjoining area within 200 feet of the proposed subdivision site, except for a phased subdivision as provided in Section 104.9.

2. Vicinity Map: A vicinity map showing the relationship of the proposed subdivision to the adjacent area.
3. Identification:
 - a) The proposed name of the subdivision, township, tract or original lot or Section number.
 - b) The names, addresses, and telephone numbers of the applicant, and the professional engineer or firm who prepared the plan.
 - c) The permanent parcel numbers of the property and the permanent parcel numbers and names of the owners of property contiguous to and directly across the street from the proposed subdivision.
 - d) Scale 1" = 100' (or otherwise authorized by Director), north arrow, date of Preliminary Plan and revisions, date of survey, with a sheet size of 22" by 34".
 - e) All adjacent property owned by the Applicant.
4. Existing Data. Data required for parcels that are adjacent to the proposed subdivision site shall be based on publicly available information:
 - a) Boundary Line Survey - showing bearings, distances, and acreage as surveyed by a Registered Surveyor.
 - b) Easements – showing the location, width, purpose and name of the party or parties that has/ have been granted easement rights, and the AFN number.
 - c) Streets on and adjacent to the subdivision - names, locations, right-of-way, and roadway width.
 - d) Utilities on and within 200 feet of the subdivision - location and size of sanitary and storm sewers (both mainline and connections) location and size of water mains (both mainline and connections), location of existing stormwater management features, location of gas lines, fire hydrants and utility poles.
 - e) Existing topography of the subdivision at two-foot contour intervals and based upon sea-level datum.
 - f) Subsurface conditions of the subdivision - any conditions that are not typical such as abandoned mines or wells.
 - g) Other conditions of the subdivision and of adjacent land within two hundred feet:
 - Waterbodies, watercourses, and associated riparian areas,
 - Wooded areas,
 - Structures and buildings,
 - Railroad lines,
 - Power lines and towers,
 - Land use and adjacent zoning district boundaries,
 - Owners of adjacent unplatted land (for adjacent platted land refer to subdivision plat by name, plat book, and pages),

- All land areas located in a 100 year floodplain without being limited to the FEMA maps,
 - Oil and/or gas wells, storage tanks and separator units; including the distances of these facilities from existing or proposed property lines, existing or proposed streets and existing or proposed habitable buildings.
- h) Soils and Wetlands. The following shall be identified and the boundaries generally delineated on the Preliminary Plan to the extent required by the Water Management and Sediment Control Regulations:
- detailed soils,
 - any jurisdictional wetland area(s) under the purview of the U.S. Department of the Army, Corps of Engineers and/or Ohio EPA,
 - The source(s) of information pertaining to detailed soils and wetlands (if any) within the subdivision shall be documented on the plan.
 - Such required information shall be based upon an on-site investigation conducted by a qualified professional pedologist (soils scientist), professional geotechnical engineer, or professional wetland scientist and a copy of the report(s) and other documentation prepared by the owner's consultant shall be submitted. Applicant shall obtain a Preliminary or Approved Jurisdictional Determination from the US. Army Corps of Engineers.
- i) The location and description of all existing benchmarks, monuments, iron pipes or pins found and those set in the subdivision.
- j) The name of the zoning district, minimum lot size, and setback requirements, including riparian and wetland setbacks as applicable.
- k) Planned public improvements -- highways or other major improvements planned by public authorities for future construction on or within 200 feet of the subdivision.
- l) The location of existing on-site sewage treatment systems and private water systems.

5. Proposals:

- a) Proposed streets identified by name or by a letter designation, right-of-way widths, pavement widths, and centerline geometrics.
- b) Other rights-of-way or easements with location, width, and purpose.
- c) Lots including number of each lot, dimensions, and area of all lots.
- d) Front building setback lines as required by zoning.
- e) Land within the subdivision not to be divided into lots, with indication of proposed use and designated by letter.
- f) Sites for other uses such as multi-family dwellings, shopping facilities, churches, industry, or other uses, exclusive of single family dwellings.
- g) Total site data including acreage, number of residential lots, typical lot size and acres in parks, open space, and other public uses.

- h) The approximate location of stormwater management, water quality and/or erosion and sediment control structures, including riparian and wetland setback areas, and other permanent BMPs and a description of control procedures.
 - i) The approximate location of storm and sanitary sewers and water lines.
 - j) The approximate location and size of drainage structures.
 - k) All areas where the natural topography is to be modified outside a public right-of-way.
 - l) The approximate location of any proposed on-site sewage treatment systems and private water systems.
6. Project Phasing Plan. A phasing plan and schedule identifying the separate phases of the construction and platting of the subdivision in compliance with Section 104.9 shall be submitted if there will be more than one Final Plat submitted for the entire subdivision.
7. Zoning Application. A copy of the application submitted to the township zoning department indicating that zoning review and action for the project is underway, if required.
- F. Preliminary Stormwater Management Plan as required in Article 2 Water Management and Sediment Control Regulations. A Preliminary Plan and calculations demonstrating the feasibility of compliance with the Cuyahoga County Water Management and Sediment Control Regulations and meeting the current EPA NPDES rules and regulations on the project site. Any and all Township Stormwater requirements should also be completed and submitted to the Township.
- G. If the Department of Public Works deems necessary to ensure the site is suitable for development proposed, Public Works may require a hydraulic study, such as a SWMM, to be submitted and reviewed prior to submitting a recommendation of approval, conditional approval, or disapproval to the County Planning Commission. This study shall be signed and sealed by a professional engineer in the State of Ohio.
- H. Preliminary Grading Plan. A plan showing conceptually how the site will be graded and the resulting relationship to the surrounding properties.
- I. Traffic Impact Study prepared by a registered professional engineer in the State of Ohio with experience in traffic impact studies, indicating the impact of future traffic on the existing and proposed roadway system, when required for the subdivision as determined by the County Engineer.
- J. Preliminary Documents Governing Maintenance and Control of Common Areas. For sites with land reserved for common use of property owners, a description of any proposed covenants, conditions and restrictions shall be submitted. Said description shall include:
- 1. Documents providing for the establishment of any community association or homeowner's association with provision for association membership and responsibility as set forth in Section 104.8.

2. The construction, administration, and maintenance of all proposed common property, common facilities and common lands as set forth in Section 104.8.
 3. All elements of the subdivision proposed to be held in common ownership.
 4. A description of the enabling declaration; the declaration of covenants, conditions and restrictions, the articles of incorporation; and the corporate by-laws.
- K. Other information: Any other information identified at the preliminary discussion meeting necessary to review adequately the subdivision proposal.
- L. Field Review: The subdivider shall place a field stake at the right-of-way of the existing street, at its intersection with the center line of all proposed streets.
- M. Modifications: If a modification of any requirements of these Regulations is requested, then the applicant shall submit a formal request in writing to the County Planning Commission according to the provisions set forth in Section 107.4.

104.5 (III). Administrative Review of Preliminary Plan

- A. Within five calendar days of the submission of a complete application as defined by Section 104.3 and in accordance with the provisions of Section 104.5 (I) hereof, the County Planning Commission staff shall place the Preliminary Plan on the County Planning Commission's agenda and shall distribute the application and accompanying plans, as well as the County Planning Commission's meeting notice to the following agencies, officials, and staff (hereafter referred to as the Reviewing Entities) for their review and comment:
1. County Public Works office: County Engineer, Sanitary Engineer
 2. County Board of Health (if subdivision involves septic tanks)
 3. Cuyahoga Soil and Water Conservation District
 4. All Township Trustees, Township Fiscal Officer, Zoning Commission Chair and/or Secretary, Township Building Department and Township Zoning Inspector
 5. Township Fire Department
 6. Township Police Department
 7. ODOT, when applicable according to Section 104.5 (IV)
 8. The Northeast Ohio Regional Sewer District
 9. The City of North Olmsted, only if the new subdivision falls within the North Olmsted sanitary sewer service area
 10. Other officials, agencies, and utility providers who pursuant to ORC §711.10 may have an interest in the proposed subdivision development as determined by the County Planning Director.
- B. The notice shall include the date, time and location of the meeting at which the County Planning Commission will consider and act upon the Preliminary Plan application, and the date by which review comments shall be received for consideration in the County Planning Director's recommendation for action.

- C. The County Planning Commission staff shall review the Preliminary Plan application for compliance with these Regulations.
 - 1. Any Reviewing Entity receiving the Preliminary Plan application may submit comments to the County Planning Commission staff. If a Reviewing Entity does not provide written comments to the County Planning Commission staff within the time noted on the notice, the County Planning Commission staff shall note that such Reviewing Entity has submitted no response and the County Planning Commission may issue a decision without consideration of such Reviewing Entities' comments.
 - 2. During the course of its review, staff may meet with the applicant to review its evaluation, and the applicant may revise the Preliminary Plan in response to staff's comments.
 - 3. The County Planning Commission staff shall compile and summarize the comments received from Reviewing Entities.
- D. The County Planning Director shall submit a report and recommendation for action to the County Planning Commission.

104.5 (IV). Referral to Ohio Department of Transportation

- A. In compliance with ORC § 5511.01, before any plat is approved affecting any land within 300 feet of the centerline of a proposed new state highway or state highway for which changes are proposed as described in the certification to local officials by the Director of the Ohio Department of Transportation (ODOT) or within 500 feet from the intersection of an existing public road with said centerline, the County Planning Commission at such time when the Preliminary Plan is filed shall give notice, by registered or certified mail, to the ODOT director.
- B. Notwithstanding Section 104.5 (V)F, the County Planning Commission shall not approve the plat nor shall any construction begin for a period of 120 days from the date the notice is received by the ODOT director.
- C. During the 120-day period or any extension agreed to by the ODOT director and the property owner, the Department of Transportation shall proceed to acquire any land needed for the highway improvement, or shall make a finding that acquisition, at such time, is not in the public interest.
 - 1. If the ODOT director notifies the County Planning Commission that ODOT has purchased or has initiated proceedings to appropriate the land needed, the Commission shall refuse to approve a plat that includes the land that the ODOT director has purchased or has initiated proceedings to appropriate.
 - 2. If ODOT determines that acquisition, at that time, is not in the public interest or after the 120-day period has elapsed, the County Planning Commission shall proceed to approve or disapprove the plat in the manner specified in these Regulations.
- D. If the applicant so desires, the County Planning Commission may give tentative approval and allow the applicant to proceed with development of a Final Plat. However, the applicant shall

acknowledge in writing that he/she proceeds at his/her own risk and the tentative approval will be withdrawn if the ODOT Director proceeds to acquire the land.

104.5 (V). Public Meeting on Preliminary Plan: County Planning Commission Review and Action

The County Planning Commission shall consider the application at a public meeting as provided by its rules and regulations for the holding of such meetings. The County Planning Commission shall notify the applicant in writing of the time and place of said meeting at least five calendar days prior thereto.

- A. The County Planning Director shall present the complete application, staff report and recommendation for action to the County Planning Commission at the public meeting. The applicant and the general public shall be permitted the opportunity to provide comments regarding the application. The County Planning Commission and the applicant may call experts to answer questions, address evidence presented at the public meeting and provide additional comment.
- B. Upon consideration of the planning standards contained herein, the recommendation of the County Planning Director, and evidence presented at the public meeting, the County Planning Commission shall take one of the following actions on the application:
 - 1. Approve the application as submitted,
 - 2. Approve the application with specific conditions or modifications,
 - 3. Disapprove the application, or
 - 4. Table the application at the request of the applicant to allow the applicant time to provide more information or to revise the application. The applicant shall agree in writing to waive the 35 business day time period set forth in Section 104.5 (V)F of these regulations.
- C. In order to approve a Preliminary Plan application, the County Planning Commission shall find that:
 - 1. The application meets the standards and requirements of the Subdivision Regulations.
 - 2. The Township has determined the application, including the phasing plan (if any), meets the requirements of all township regulations.
 - 3. The County Public Works Sanitary Engineering Division has determined the subdivision will be adequately serviced by central water and sanitary sewer subject to approval of detailed plans.
 - 4. The County Public Works Engineering Division has determined the Preliminary Plan for streets, stormwater management and natural drainage ways protection is acceptable subject to the approval of more detailed construction drawings; and that the subdivision

will be adequately serviced by central water and sanitary sewer subject to approval of detailed plans.

- D. If the County Planning Commission disapproves the application, the reasons for such disapproval shall be stated in writing.
- E. The County Planning Commission's decision shall be noted on the application form and on the submitted Preliminary Plan, and a copy returned to the applicant. The decision shall also be entered on the official records of the County Planning Commission and a copy of the Preliminary Plan and action taken shall be kept on file with the County Planning Commission. Notice of the decision shall be sent to all review agencies and the Township.
- F. The County Planning Commission's decision shall be issued within 35 business days from the date the application is submitted as a complete application, unless additional time is required according to Section 104.5 (IV), the applicant has agreed to an extension or is otherwise required by law.

104.5 (VI). Effect of Approval

- A. Approval by the County Planning Commission of any Preliminary Plan is revocable and shall not constitute acceptance of the Final Plat of the proposed subdivision, but is to be considered only as approval of the subdivision's proposed layout, with the understanding that the Reviewing Entities defined in 104.5 (III) will respectively examine the grades of streets and types of improvements, the layout of drainage and sewage systems, measures to manage and control water quantity, water quality and sediment, the water distribution system as proposed, and may direct any engineering or construction details, whenever required for the protection of the public interest.
- B. A Preliminary Plan approved by the County Planning Commission is a general plan and guide to the preparation of the more detailed Improvement Plans and Final Plat(s). The approval of the Preliminary Plan shall be effective for a period of two years (except as otherwise permitted in Divisions C and D of this section), during which time Improvement Plans shall be submitted and approved, and Improvements shall be installed and inspected according to Section 104.6. The approved plan shall not be affected by any changes in these Regulations during the approval period. (Res. 101209-C, effective 12/16/10)
- C. Final plat (see Section 104.7) approval shall be obtained during the two-year Preliminary Plan approval period, unless the County Planning Commission approves a written request for extension from the applicant filed prior to the Preliminary Plan expiration date.
 - 1. The County Planning Commission may at its discretion approve requests for extensions for up to two years provided that the existing township and/or county regulations applicable to the Preliminary Plan have not changed since the date the Preliminary Plan was approved. No more than two (2) extensions shall be approved for any Preliminary Plan.

2. Upon expiration of a Preliminary Plan approval, no approval of a Final Plat shall be given until the Preliminary Plan has been resubmitted and approved as a new Preliminary Plan. Such resubmission of an expired Preliminary Plan shall be subject to all zoning, subdivision and other regulations that are in effect at the time the new Preliminary Plan application is submitted. (Res. 101209-C, effective 12/16/10)
- D. For multi-phased subdivisions that are submitted and approved in accordance with Section 104.9, Final Plat approval for at least the first phase shall be obtained within two years of the Preliminary Plan approval of the first phase or overall plan. At the time of phase one Final Plat approval, approval of the next phase's Preliminary Plan may be extended by County Planning Commission resolution for up to two additional years to allow continued construction of the next phase of improvements according to the Preliminary Plan. (Res. 101209-C, effective 12/16/10) If more than 2 years occur between applications of Preliminary Plan for successive phases in a phased subdivision, the Master Subdivision and phasing plan will need to be renewed and may be subject to any new regulations that have been adopted in the interim.

SECTION 104.6 IMPROVEMENT PLANS

Once a Preliminary Plan is approved, the applicant shall submit Improvement Plans, including a comprehensive stormwater management and sediment control plan, for review. The Final Plat shall not be approved nor construction of any improvement begun until the Improvement Plans have been approved by the appropriate Reviewing Agencies according to the regulations set forth in this Chapter. The applicant shall follow the procedures below and in Chapter 105, and shall design improvements in accordance with Chapter 106.

104.6 (I). Improvement Plan Submission Procedure

- A. The applicant shall submit an application for review, the initial County Public Works application fee, and the Improvement Plans for review to the County Public Works Department. The application form is set forth by the Department of Public Works. The fee schedule is contained within the Appendix hereof.
- B. Improvement plans may be submitted prior to the approval of a Preliminary Plan but will not be reviewed until the Preliminary Plan has been approved by the County Planning Commission and Improvement Plan fees have been submitted to Public Works. If Improvement Plans are submitted prior to approval of the Preliminary Plan, the 20-business day review period will begin one business day *after* County Planning Commission approval is given.

104.6 (II). Improvement Plan Submission Requirements:

- A. Forms: For each set of Improvement Plans, an *APPLICATION FOR IMPROVEMENT PLAN APPROVAL* form shall be submitted.

1. The Application form includes the subdivision name under which the proposed subdivision is to be recorded and the names and addresses of the applicant, the owners, the engineer, and the registered surveyor platting the tract.
 2. The *APPLICATION FOR IMPROVEMENT PLAN APPROVAL* form is set forth by the Department of Public Works.
- B. Fees: The fee schedules are available in the Appendix hereof. Fees are due to the County Department of Public Works at the time of submittal for each set of Improvement Plans.
1. An Agreement is necessary to be executed between the County and the Developer to obtain his or her concurrence regarding responsibilities of payment of the fees.
 2. Fees for Roadway, Roadway Drainage, Traffic Control, Site Grading, Landscaping, Sanitary Sewer Improvement Plans, and any other work necessary are to cover expenses incurred by County Public Works for the review of plans and post construction inspections, including maintenance guarantee inspection period as defined in Chapter 105, and coordination of repair work.
 3. Fee for Stormwater Management Plans is to cover plan review and field inspection as required in the Cuyahoga County Land Development Regulations, Article II (Water Management and Sediment Control Regulations), post construction inspection and coordination of required repair work related to the stormwater management and sediment control aspects of the proposed subdivision through the maintenance and/or performance guarantee periods, as defined in Chapter 105.
 4. An initial County Public Works fee based on a percentage of the certified construction costs of the entire proposed subdivision improvement (without the costs involved with any proposed sanitary sewer work) will be due with the "Application for Improvement Plan approval" form. As part of the determination of this fee, the developer shall provide a construction cost estimate signed and sealed by a professional engineer licensed in the State of Ohio. This initial County Public Works fee must be paid by the developer with a check or money order made out to the Cuyahoga County Treasurer.
 5. The Fees charged will be for the actual hourly rates of the individuals working on the subdivision plus fringe benefit cost. All other additional direct costs incurred beyond these hourly rates, such as professional services, other Governmental Agency Fees, etc. will be billed at actual county cost for those services.
 6. The County Public Works will prepare periodic summary of costs and will invoice those costs to the developer. The Developer shall be responsible to pay those invoices prior to approval of Improvement Plans, approval of the Final Plat, or the release of performance of maintenance guarantees. Initial funds deposited by the Developer will be used for payment of invoices first.

7. Any unused portion of deposit(s) collected shall be refunded to the Subdivider/Developer upon his or her completion or early termination of the subdivision activities.
 8. Once the initial deposit of funds from the developer have been depleted, then periodic invoices will be sent to the developer from County Public Works which are due upon receipt.
 9. As part of the fees due to County Public Works, the Developer will be responsible for any costs incurred after Final Plat approval for monitoring and enforcement of the Stormwater Management Plan, and the sediment control aspects of the proposed subdivision, monitoring and enforcement of the maintenance and performance guarantees, monitoring any construction activity and other subdivision related activities related to the completion of the Subdivision improvements. To recoup these costs, County Public Works will send a bill to the Developer on a quarterly basis until all monitoring and enforcement activities relative to the subdivision have been completed/finalized.
 10. All Fees to date must be paid prior to approval of Improvement Plans or approval of the Final Plat by the County Engineer. Costs invoiced after approval of the Final Plat shall also be paid by the developer prior to the release of performance or maintenance guarantees.
- C. Copies: Five paper copies and one electronic copy of each Improvement Plan shall be submitted for each set of Improvement Plans.
- D. Improvement Plans: Improvement Plans shall be submitted in the form specified by the County Engineer's Improvement Requirements, and shall be accurately and clearly drawn and include the following:
1. Title Sheet.
 2. Index: An index of the sheets contained in the Improvement Plans.
 3. Storm drainage, sanitary sewer and waterwork plans: all in accordance with the Uniform Standards for Sewerage Improvements and Uniform Standard Sewer Details latest edition.
 4. Plans and profiles: all in accordance with the County Engineer's Improvement Requirements.
 5. Stationing and benchmarks: all in accordance with the Cuyahoga County Conveyance Standards.
 6. Typical sections: all in accordance with the County Engineer's Improvement Requirements.
 7. Construction details and notes: all in accordance with the County Engineer's, County Sanitary Engineers' or any other governing agency's requirements/standards.
 8. Cross sections: all in accordance with the County Engineer's Improvement Requirements.

9. Traffic Control Plan indicating the type of traffic control devices to be erected and street markings to be made.
 10. Street Lighting Plan: in accordance with these regulations.
 11. Street Tree Planting Plan: in accordance with these regulations.
 12. Stormwater Management Plan and a Stormwater Pollution Prevention Plan: The applicant shall submit a Stormwater Management Plan and a Stormwater Pollution Prevention Plan to County Public Works, who will forward to the Cuyahoga Soil and Water Conservation District and the Northeast Ohio Regional Sewer District for review and approval. The Soil and Water Conservation District shall submit their recommendation for approval or disapproval of the Stormwater Management Plan and the Stormwater Pollution Prevention Plan to County Public Works and the County Planning Commission for consideration.
 13. Any and all Township Stormwater requirements must also be submitted to the respective Township.
- E. When a phasing plan has been approved as part of the Preliminary Plan, the improvements may be constructed in phases in accordance with the provisions set forth in Section 104.9.
 - F. All improvements, including water management controls, shall comply with the approved Preliminary Plan including approved phasing plan.
 - G. No construction shall commence for any improvement until all Improvement Plans have been approved in writing by the County Engineer and the County Sanitary Engineer.
 - H. Construction of the improvements required for Final Plat approval, as set forth in Section 104.7, shall be completed within the time frame of the approved Preliminary Plan. In the event construction of such improvements will extend beyond the approval period of the Preliminary Plan, a time extension for the Preliminary Plan approval shall be required in compliance with Section 104.5 (VI) C and D.

104.6 (III). Administrative Review of Improvement Plans

- A. Once each set of Improvement Plans, along with the appropriate application form and fee according to Section 104.6 (II), has been submitted, the plans will be circulated to appropriate staff within Public Works as well as third party consulting agencies (such as the Cuyahoga Soil and Water Conservation District).
- B. Within 20 business days of the submission of a complete Improvement Plan application as defined by Section 104.3, County Public Works staff will notify the applicant in writing if the Improvement Plan is approved or needs to be modified.
- C. If approved, the applicant may begin construction of the corresponding improvement.

104.6 (IV). Inspection Of Improvements During Construction

The subdivider or his or her contractor shall not proceed with any construction unless arrangements have been made with the Cuyahoga Soil and Water District or other agent designated by the local authority for matters of water management and sediment control, the County Sanitary Engineer's office in matters of storm and sanitary sewers and the County Engineer's office in matters of road and sidewalk improvements to have a County Inspector on the job during construction. The cost of such inspections shall be borne by the subdivider or his or her contractor according to the fee schedule adopted by County Public Works.

For multi-phased subdivisions, final approval of completed improvements will not be given to the subdivider until all the grading of the overall subdivision (as required/specified in the approved Improvement Plans) has been completed, inspected, and approved by County Public Works. This grading must be approved prior to any roadway infrastructure being constructed. The cost of any required inspection to approve this grading shall be borne by the subdivider or his/her contractor according to the fee schedule adopted by County Public Works.

104.6 (V). Inspection of Completed Improvements and As-Built Submittal

Upon completion of all improvements required to be constructed prior to Final Plat approval, the subdivider shall request, in writing, inspections by the County Engineer's office, the County Sanitary Engineer's office, and the Township. Such inspections may include core borings and related structural tests with respect to paving improvements, internal pipe inspection and/or performance tests, photography, and interpretation of the result thereof with respect to sewer improvements.

- A. Final inspections must occur at least 20 business days before the scheduled meeting of the Cuyahoga County Planning Commission at which the Final Plat will be considered.
- B. If such final inspections for street improvements are found to be in accordance with the specifications set forth on the approved Improvement Plans and Final Plat, and are in good repair, then such finding, endorsed on the plat by the County Engineer's office in the space provided, shall constitute that Office's approval of the street for dedication and acceptance by the County.
- C. Likewise, if such final inspections for storm and sanitary sewer improvements are found to be in accordance with specifications set forth on the approved Improvement Plans and Final Plat, and are in good repair, then such findings shall be endorsed on the Final Plat by the County Sanitary Engineer in the space provided.
- D. If County Public Works finds upon inspection that any one or more of the required improvements have not been constructed in accordance with the approved Improvement Plans, the applicant shall be responsible for properly completing the improvements, including the permanent or temporary stabilization of disturbed areas.
- E. "As-Built" requirements:

1. Once the installation of the improvements is complete, and at least 20 business days before the scheduled meeting of the County Planning Commission at which the Final Plat will be considered, the subdivider shall furnish County Public Works office with a copy of “as-built” drawings that show the exact location of such improvements, and demonstrate that all public improvements are built in accordance with the approved Improvement Plans for the subdivision. Any drawings of the “as-built” utilities shall be certified as accurate by the subdivider. The subdivider shall also provide State Plane coordinates for all sanitary and storm manholes, storm catch basins and sanitary and storm tees to document their locations. Horizontal coordinates are to be Project Grid coordinates expressed in U.S. Survey feet based on the Ohio State Plan Coordinate System, north zone and reference the North American Datum of 1983 (NAD 83) and the 2011 Cors Adjustment. The County Public Works Department shall not recommend approval of the Final Plat until the subdivider has submitted the “as-built” drawings and the drawings have been determined to be acceptable.
 2. Principal items to be certified on the “as-built” drawings are to include: street grades, pavement compositions, bridges (construction, location, etc.), culverts, traffic control (street signage, striping, signalization), guard rail, sidewalks, storm sewer system (shall meet “County Water Management and Sediment Control Regulations”), stormwater management facilities, sanitary sewer system, water system, landscaping, roadway, seeding, site grading, survey monumentation, street lighting.
 3. If the “as-built” drawings differ from the original design of the corresponding approved Improvement Plans, County Public Works will evaluate the impacts of this difference on the subdivision and surrounding area. This evaluation will determine the acceptability of said “as-built” drawings.
 4. For all improvements that have been deferred until after Final Plat approval, as permitted in Section 105.2, “as-built” drawings must be submitted for review and approval by County Public Works prior to the release of any associated performance guarantees.
- F. In addition to requiring approval by County Public Works for public use, the right-of-way of all streets proposed to be dedicated for public use shall also be accepted by resolution by the County Council with such acceptance shown on the subdivisions Final Plat.

SECTION 104.7 FINAL PLAT

The Final Plat is the legal document that is recorded with the County Fiscal office. The sale of subdivided lots can only proceed after this recording. The primary purpose of the Final Plat is to delineate property boundaries and to describe and dedicate rights-of-way and easements.

Before any plat of lands will be considered or approved by the County Planning Commission, the applicant shall file with the County Planning Director a Final Plat for review and action by the Cuyahoga County Planning Commission.

104.7 (I). Final Plat Submission Procedure

- A. The Final Plat and all required forms and fees must be submitted to the County Planning Commission staff at least 20 business days but no more than 30 calendar days prior to the scheduled meeting of the County Planning Commission. Completed applications submitted more than 30 calendar days before the next scheduled meeting shall not be accepted.
- B. The submission date shall be the date that a complete application is submitted for review according to Section 104.3. Once a determination of completeness has been established, the Final Plat be placed on the County Planning Commission's agenda.
- C. The Final Plat application, including required elements, shall be submitted in the form required by Section 104.7 (II) hereof, together with such other data that has been identified during the Preliminary Plan stage and the Improvement Plan stage as being necessary to review the subdivision proposal.
- D. The Final Plat shall conform to the approved Preliminary Plan and shall address all conditions of Preliminary Plan approval.
- E. When a phasing plan has been approved as part of the Preliminary Plan, a subdivision may be submitted for Final Plat approval in consecutive phases in accordance with the approved phasing plan.

104.7 (II). Final Plat Submission Requirements

Following approval of the Preliminary Plan and Improvement Plans and the construction of improvements, the applicant shall submit an application for Final Plat Review.

- A. Timeframe: The Final Plat and all forms and fees listed below must be submitted at least 20 business days before the regularly scheduled meeting of the County Planning Commission.
 - 1. The submission date shall be the date that a complete application is submitted for review according to Section 104.3. Once a determination of completeness has been established, the Final Plat shall be placed on the County Planning Commission's agenda.
- B. Forms and Fees: A completed *APPLICATION FOR FINAL PLAT APPROVAL* form and application fee are due at the time of submittal.
 - 1. The Application form includes the same subdivision name that was filed in the approval of the Preliminary Plan.

2. The *APPLICATION FOR FINAL PLAT APPROVAL* form is set forth by the County Planning Director.
 3. The fee schedule is contained in the Appendix hereof.
- C. Scale: The Final Plat shall be at a scale of 1" = 100'. The Final Plat shall be sized at 36" by 42". Where necessary, the plan may be on several sheets accompanied by an index sheet showing the entire subdivision.
- E. Mylar and Copies: Five paper copies and one electronic copy of the Final Plat shall be submitted to the County Planning Commission. One copy of the Final Plat, drawn clearly and legibly in ink upon mylar (4 mil single matte), must also be submitted to the scale listed in this section upon approval and satisfaction of any conditions by the County Planning Commission.
- F. The Final Plat maps shall include a Title Page that contains the following:
1. The subdivision name or identifying title and the name of the original township or townships in which the subdivision is located; date; north arrow; bar scale of the plat; the name and address of the record owner and applicant; the name, license number and seal of the Registered Surveyor licensed to practice in the State of Ohio, as defined in Sections 4733-1 to 26 of the O.A.C.
 2. Notarized certification by the owner or owners of the subdivision and the offer of the dedication of streets and other public areas and that there are no taxes or assessments that are due and payable against the land contained in the plat.
 3. Notation for the following in the form prescribed in the *REQUIRED FINAL PLAT CERTIFICATIONS AND STATEMENTS* document as set forth by the County Planning Director:
 - a) Certification by the Health Department if an on-site sewage treatment system and/or a private water supply system are used.
 - b) Certification by the Cuyahoga County Sanitary Engineer if public (centralized) sewer or water systems, and/or water management or sediment control measures are used.
 - c) Certification by the Cuyahoga County Engineer.
 - d) Acceptance of offers of dedication by the Cuyahoga County Executive and County Council, when all improvements required to be constructed have been constructed and certified by the County Engineer. The Final Plat shall not be presented to County Council until all deficiencies are addressed, unless said deficiencies are covered by an approved performance guarantee.
 - e) Approval of plat by the County Planning Director.
 4. The certificate of dedication of such areas dedicated to the public use properly identified and the conditions thereof executed by the owner of the land or his duly authorized agent according to law, and shall also bear upon its face a certificate of approval of the County Law Director verifying that there are no liens or encumbrances.

5. A statement by the mortgagee or mortgagees of the land embraced within the proposed subdivision assenting to the dedication of such areas of land proposed to be dedicated to public use, land within a conservation easement and land within all other easements, and a properly executed release of same from the terms of its or their mortgage(s).
 6. Inspections and As-Builts: Written documentation that County Public Works has performed final inspection of and approved the completed improvements and is in receipt of the accepted as-built drawings of all improvements.
- G. The Final Plat submitted for approval and subsequent recording shall comply with the State Minimum Standards for Boundary Surveys in Chapter 4733-37 of the OAC and the current Cuyahoga County Transfer and Conveyance Standards and shall contain the following items:
1. The subdivision name or identifying title and the name of the original township or townships in which the subdivision is located; date; north arrow; bar scale of the plat; the name and address of the record owner and applicant; the name, license number and seal of the Registered and Professional Surveyor licensed to practice in the State of Ohio, as defined in Sections 4733-1 to 26 of the O.A.C.
 2. Vicinity map at a scale of 1" = 5,280' scale with a north arrow.
 3. The location of all existing easements and the location, right-of-way width, and names of all streets within and adjoining the plat.
 4. Areas to be dedicated for public use such as roads and easements shall be shaded or cross hatched upon the Final Plat in such a manner that the pattern does not obscure the image when the document is scanned or copied.
 5. Accurate and sufficient data acceptable to County Public Works and meets the following requirements:
 - a) All new parcels shown on a plat shall be referenced to an established point of beginning such as centerline intersections of streets or roads or record Section and/or quarter Section corners or lines, or recorded subdivision perimeter corners. Said point of beginning shall be further established as well known, industry standards, permanent monument, such as an iron pin, pipe, railroad spike or monument box of a design and style accepted by current County and State standards, whichever is applicable.
 - b) Each course of a new parcel shown on a plat shall contain a bearing expressed in degrees, minutes and seconds and a distance recited in feet and the decimal parts thereof, from point of origination to a point of termination of each course.
 - c) All references to streets, rivers, streams, railroads, etc. shall use current or existing names of record. Old or original names, enclosed in brackets, may also be shown if pertinent and related to research for the survey or as a deed call on a description.
 - d) Each new parcel shall show the names of current adjoining owners together with the recorded Deed Book and Page of Official Record for each. When a course being

described adjoins a recorded platted subdivision, a call for the plat volume and page will suffice.

- e) All adjoining metes and bounds parcels will require the current County Fiscal Office permanent parcel number to be shown on the plat.
- f) All easements for public use, services or utilities and their dimensions and width.
- g) The required minimum setback lines, including riparian setbacks and wetlands setbacks and the corresponding water body and wetland, with dimensions.
- h) All parcels shall be identified by acreage and designated uses and shall include lot dimensions.
- i) All lots shall be numbered consecutively in numerical units.
- j) All new parcels shown on the plat shall give the area contained within its perimeter in acres and calculated to a minimum of three decimal places, as required by the County Fiscal Office. Total calculated square footage is also required for parcels that are one (1) acre or less.
- k) Whenever a new parcel on a plat encompasses two or more taxing districts, or two or more parcels, a breakdown of total area shall be recited for each tax district or parcel.
- l) All new parcels shown on a plat will be subject to computer verification as to the accuracy of the traverse closure. In all new deed descriptions and plats of survey, the lengths and directions of the lines shall be specified so that the mathematical error in closure of the property boundary does not exceed 0.02 feet in latitudes and 0.02 feet in departure.
- m) Any course of a new parcel or a course tied to a new parcel which is a curve shall contain the direction of the curve, (right or left), the radius (in feet and decimal parts thereof), the long chord bearing and distance, the central angle and the arc length.
- n) Any parcel, outlot or portion of a recorded lot or other designation shown on a plat, shall have an accurate, fully dimensioned image drawn to scale on the plat to enable the County Public Works office and County Fiscal Office to determine the accurate area of said parcel. If a balance or residue parcel is given a designation on a plat such as; "Parcel A" or "Sublot 1" etc., then that parcel will be considered as part of the survey and will require all the compliance items of O.A.C. Chapter 4733-37. In addition, the use for each parcel of land to be dedicated or reserved for public use or for easements shall be shown on the plat.
- o) Each course shall show all other common lines such as centerline of roads, rivers, streams, quarter or half section lines, or any other pertinent common line of record interest as witnessed by the survey and used for establishment of the boundaries therein.
- p) All lot corner markers shall be in accordance with O.A.C. 4733-37-03.
- q) Permanent reference monuments shall be shown as a solid square (□).

H. Protective covenants, conditions and restrictions, if any, shall be recorded separately as a separate instrument, provided that the automated file number thereto is indicated on the plat.

Said covenants, conditions and restrictions shall include the requirements set forth in Section 104.8.

- I. Finalized maintenance and performance guarantees in compliance with Sections 105.1, 105.2 and 105.3. Prior to the submission of finalized guarantees, and before the Final Plat application is due, the notarized documentation indicating the actual construction costs of completed improvements and anticipated construction costs of any deferred improvements must be submitted for review and approval to County Public Works. The guarantees shall clearly identify the specific improvements covered by the guarantee, including the location and street name(s).
- J. The Final Plat shall conform to the approved Preliminary Plan and shall address all conditions of Preliminary Plan approval.
- K. When a phasing plan has been approved as part of the Preliminary Plan, a subdivision may be submitted for Final Plat approval in consecutive phases in accordance with the approved phasing plan.

104.7 (III). Administrative Review of Final Plat

- A. Within five calendar days of the submission of a complete application as defined by Section 104.3 and in accordance with the provisions of Section 104.7 (II) hereof, the County Planning Commission staff shall send copies of the Final Plat and a notice of the County Planning Commission meeting at which the Commission will hear and take action on the Final Plat to the Reviewing Entities as listed in Section 104.5 (II) for their review and comment. The notice shall include the date, time and location of the meeting at which the County Planning Commission will consider or act upon the Final Plat, and the date by which review comments shall be received for consideration in the County Planning Director's recommendation for action.
- B. The County Planning Commission staff shall review the Final Plat application for compliance with these Regulations.
 - 1. Any Reviewing Entity receiving the Final Plat application may submit comments to the County Planning Commission staff. If a Reviewing Entity does not provide written comments to the County Planning Commission within the time noted on the notice, the County Planning Commission may issue a decision without consideration of the Reviewing Entities' comments.
 - 2. During the course of its review, staff may meet with the applicant to review its evaluation, and the applicant may revise the Final Plat in response to staff's comments.
 - 3. The County Planning Commission staff shall compile and summarize the comments received from the Reviewing Entities.
- C. The County Planning Director shall submit a report and recommendation for action to the County Planning Commission.

104.7 (IV). Public Meeting on Final Plat: County Planning Commission Review and Action

The County Planning Commission shall consider the application at a public meeting as provided by its rules and regulations for the holding of such meetings. The applicant shall be notified in writing of the time and place of said meeting.

- A. The County Planning Director shall present the complete application, staff report and recommendation for action to the County Planning Commission at the public meeting. The applicant and the general public shall be permitted the opportunity to provide comments regarding the application. The County Planning Commission and the applicant may call experts to answer questions, address evidence presented at the public meeting and provide additional comment.
- B. Upon consideration of the planning standards contained herein, the recommendation of the County Planning Director, and evidence presented at the public meeting, the County Planning Commission shall take one of the following actions on the application:
 - 1. Approve the application as submitted,
 - 2. Conditionally approve the application as specified in Division F below.
 - 3. Disapprove the application.
 - 4. Table the application at the request of the applicant for reconsideration at such further time agreed to by the applicant. The applicant shall agree in writing to waive the 30-day review period set forth in Section 104.7(IV)(I) of these regulations.
- C. In order to approve a Final Plat, the County Planning Commission shall find that:
 - 1. The Final Plat fulfills the purpose and intent of these Subdivision Regulations.
 - 2. The Final Plat meets the standards and requirements of these Subdivision Regulations.
 - 3. The Final Plat is in conformity with the approved Preliminary Plan and conditions.
 - 4. The Township has determined that the Final Plat is in conformity with applicable township regulations.
- D. The County Planning Commission may grant conditional approval of the Final Plat by requiring the applicant to alter the plat or any part of it within a specified period after the end of the 30 calendar day review period, as a condition for final and unconditional approval.
- E. When the County Planning Commission approves or conditionally approves a Final Plat, the County Planning Commission shall, by resolution, authorize the County Planning Director to endorse its approval when the applicant has met all of the requirements hereunder, together with such additional requirements as may be designated by the County Planning Commission during the review process, and any conditions attached as part of the Commission's conditional approval.

- F. If the Final Plat is disapproved, the grounds for disapproval shall be stated in the records of the County Planning Commission including citation or reference to the rule violated by the plat and a copy of said record shall be forwarded to the applicant. If disapproved, the applicant may make the necessary corrections and submit a new application for Final Plat review in accordance with the filing requirements set forth in Section 104.7 (II).
- G. Before the County Planning Director endorses the Final Plat, the County Engineer and County Sanitary Engineer shall certify on the Final Plat that construction of the required improvements is complete. Prior to signing the plat, the County Engineer and the County Sanitary Engineer shall determine that all required improvements have been satisfactorily installed in accordance with the approved construction plans or a performance guarantee in compliance with Section 105.2 has been submitted.
- H. The approval or refusal to approve the Final Plat by the County Planning Commission shall be endorsed on the Final Plat by the signature of the County Planning Director, and no plat shall be recorded until it is signed by the County Planning Director indicating final and unconditional approval unless otherwise authorized by law.
- I. Except as herein otherwise provided, or as required by the Ohio Revised Code, the County Planning Commission shall make a decision on the Final Plat within thirty (30) calendar days from the date the complete Final Plat application was submitted, subject to Section 104.7(III)(A). Such time limit may be extended by a written agreement of the applicant.
- J. Pursuant to ORC §711.10(C), failure of the County Planning Commission to render a decision on the Final Plat within the time stated in Section 104.7(III)(A) shall cause the plat to be deemed approved, and the certificate of the Commission as to the date of the submission of the plat for approval under this division and the failure to take action on the plat within that time shall be sufficient in lieu of the written endorsement or evidence of approval required by this Section. In order to comply with the mandated timeframe to act, the County Planning Commission may approve a Final Plat without regard to an agency's comments if that agency fails to submit its written report as set forth in Section 104.7(III)(B).

104.7 (V). Acceptance of Dedication

After it approves the Final Plat, or once all conditions of approval have been met, the County Planning Commission shall refer the Final Plat to the Cuyahoga County Council for acceptance of dedication of land for any public street, highway or other public ways, open space, or public easement on the Final Plat.

County Council shall read the dedication proposal at a meeting of the full Council, at which point it will refer the dedication to a committee of its choosing. The committee shall review the proposed dedication of infrastructure and lands and make its recommendation back to County Council.

County Council will consider the recommendation of the committee and take action on the proposed dedication.

If the dedication of lands and infrastructure is accepted, the Clerk of Council shall sign the Final Plat and the Plat can be recorded and new parcels created.

104.7 (VI). Recording of Final Plat

After the Final Plat is approval by the County Planning Commission, endorsement by the Planning Director and acceptance of dedications by the County Council, when applicable, the County Planning Director shall make the signed plat available to the applicant. Offers of dedication will only be made to Cuyahoga County Executive and County Council once all improvements required to be constructed have been constructed, inspected, and certified by the County Engineer and found to have no deficiencies, unless said deficiencies are covered by an approved performance guarantee. The applicant shall record the approved Final Plat within thirty (30) days after the final date of acceptance with the County Fiscal Office; otherwise, the Final Plat shall be updated before it is recorded to comply with County Conveyance standards if there have been any changes in ownership.

The applicant shall pay all fees required in connection with the above process and costs of reproducing said Final Plat.

104.7 (VII). Withdrawal of Submission

The applicant may, by written notice to the County Planning Commission, withdraw an application at any time prior to the County Planning Commission taking action on the Final Plat.

104.7 (VIII). Revision of Final Plat after Approval

No changes, erasures, modifications or revisions shall be made in any Final Plat of a subdivision after approval has been given by the County Planning Commission and an endorsement is made in writing on a Final Plat, unless that Final Plat is first resubmitted and the changes approved by the County Planning Commission.

SECTION 104.8 OWNERS ASSOCIATIONS

Whenever a subdivision includes land and/or facilities that are to be owned in common, a homeowners association, community association, or similar legal entity shall be created so that such association is responsible for the maintenance and control of common areas, including but not limited to common open space, private streets and common driveways.

- A. The association's bylaws or code of regulations shall specify the following requirements:
 - 1. Membership in the association shall be mandatory for all purchasers of lots or dwelling units.

2. The association shall be responsible for maintenance, control and insurance of common areas and common facilities, and the association documents shall set forth a method to maintain the common areas and facilities in good condition.
 3. The association shall have the power to impose assessments on members for the maintenance, control and insurance of common areas and facilities, shall establish a method of apportioning maintenance costs to current and future users, and shall have the power to place liens against individual properties for failure to pay assessments.
 4. The association shall have the authority to enforce reasonable rules and regulations governing the use and payment of assessments for the maintenance, control and insurance of common areas and facilities.
 5. The conditions and timing of transfer of control from the subdivider to the lot or unit owners shall be set forth in the association documents.
 6. A statement that the owners association shall perform an annual inspection with a written report each year on each Best Management Practice (BMP) for storm water, water quality, water quantity and erosion and sediment control features constructed on the site as required by the current County or township water management regulations. The written report shall be given to the Township by May 1st of each and every year after the BMP has been completed.
 7. The association fees shall be adequate to cover regular maintenance of all common areas of the association.
 8. Fees shall be collected and escrowed by either the developer or individual owners at the inception of the HOA to ensure fees are available.
 9. The association shall not authorize its dissolution or the sale, transfer or other disposal of any common area, including common open space, without (i) an affirmative vote of seventy-five percent of its members; (ii) having established a successor entity to take over said property; and (iii) the approval of the township.
 10. The association shall convey to the appropriate governmental bodies, after proper notice, the right to entrance to any common area for emergency purposes or in the event of nonperformance of inspections, maintenance or improvements affecting the public health, safety and welfare. The governmental body shall have the right, but not the duty, after proper notice, to make inspections and improvements and perform maintenance functions. In addition, the governmental body shall have the right, but not the duty, to proceed against the association for reimbursements of said costs, including the right to file liens against individual units, houses and vacant building lots.
- B. In the event a homeowners' association or similar legal entity amends those portions of their bylaws or code of regulations that pertain to Divisions A.1 through 10 above, such amendment(s) shall be submitted to the County Planning Commission and the township for review and approval.

Failure to obtain approval of such amendment shall be deemed a violation of these Subdivision Regulations.

SECTION 104.9 PHASING OF SUBDIVISION

At the option of the subdivider, a subdivision may be constructed and platted in phases provided such phasing is done according to the following provisions.

- A. The purpose of this section is to ensure that any subdivision phase, in conjunction with previously developed phases, can to the extent practicable stand on its own as a subdivision with all improvements necessary to serve its residents.
- B. A subdivision that is to be constructed and recorded in phases shall require a Phasing Plan. The phasing plan shall be submitted and approved according to the following:
 - 1. For the purposes of these Regulations, the following definition of a “Phase” shall apply: A segment of development for a Preliminary Plan as indicated on the phasing plan submitted as part of the Preliminary Plan which typically corresponds to sequencing of the construction of improvements and submission of Final Flats.
 - 2. Subdivisions Governed by Flexible Zoning Regulations. Whenever development in a proposed subdivision is regulated by flexible zoning regulations, such as Planned Unit Development regulations, that allow varying types of housing units to be constructed at varying densities in different parts of the subdivision, that allow the permitted density of one or more parts to be dependent on the provision of open space and where the open space will be distributed in the different parts of the subdivision, the applicant shall prepare a Phasing Plan or Master Subdivision Plan prior to submission and approval of a Preliminary Plan.
 - a) The Phasing Plan or Master Subdivision Plan shall include the entire parcel of land or contiguous parcels of land under the same ownership.
 - b) The Phasing Plan or Master Subdivision Plan shall include the boundaries and progressive order of each phase of the Master Subdivision, and the submission for review shall include the elements set forth in Section 104.4 (II) for Preliminary Discussion Sketch, such that the first phase to be constructed will be Phase 1, then next phase 2, etc.
 - c) The Phasing Plan or Master Subdivision Plan shall establish a binding commitment to the overall street circulation plan including connections to adjacent land and circulation within the subdivision; the maximum number of dwelling units for each primary phase; and the areas and acreage of dedicated open space to be provided in compliance with zoning requirements.
 - d) Each phase shall have adequate provision for access and other public improvements to serve the development and adjoining property.

- e) Open space required in the Master Subdivision shall be reasonably proportioned in each phase.
 - f) Each phase shall be considered a separate subdivision; each requiring a Preliminary Plan application. Each Preliminary Plan shall be reviewed according to Division 3.b. below and may include phases for the construction of improvements and subdivision platting.
 - g) An applicant may submit a Preliminary Plan for subdivision of the first of the Master Subdivision simultaneously with the Master Subdivision Plan.
 - h) An approved Master Subdivision Plan shall remain valid so long as a valid Preliminary Plan remains in effect and continual progress is made on construction of public improvements.
3. Final Plat Submittals. The applicant, as part of Preliminary Plan approval, may propose to delineate on the Preliminary Plan two or more construction and Final Plat filing phases and establish the schedules of the same.
- a) The applicant shall submit a phasing plan that shows the boundaries, progressive order, and general time frame for completion and platting for each phase.
 - b) Each phase shall be fully capable of functioning with all the required improvements in the event future phases are not completed or are completed at a much later time.
 - c) A temporary turnaround may be required at the end of streets that are intended to be extended into a subsequent phase.
 - d) The Improvement Plans and corresponding Final Plats shall be submitted in phases and in progressive order according to the sequencing indicated on the approved phasing plan.
- C. The County Planning Commission may require a modification to the proposed boundaries of a subdivision phase or the phasing sequence proposed by the applicant or may permit a modification to the proposed boundaries of a subdivision phase or the phasing sequence upon the request of the applicant and the resubmission of the Master Subdivision Plan or the Preliminary Plan in accordance with these Regulations.
- D. The improvements in a subdivision shall be constructed in accordance with the progressive order of each phase as depicted on the Phasing Plan or Master Subdivision Plan.
- E. Each phase of a subdivision shall be recorded with the County Fiscal Office in accordance with the progressive order depicted on the Preliminary Plan accepted by the County Planning Commission unless for good cause shown the County Planning Commission approves otherwise.
- F. In the event that a phase of a Master Subdivision is removed from or is no longer associated with the other phases of the Master Subdivision, the newly independent phase will create its own Owners Association such that all common areas and other associated obligations within that phase will be transferred to that Owners Association.

CHAPTER 105. REQUIREMENTS FOR THE CONSTRUCTION OF IMPROVEMENTS

SECTION 105.1 CONSTRUCTION AND GUARANTEE OF IMPROVEMENTS REQUIRED

All improvements required by these Regulations, including the construction of private streets and all temporary and permanent soil erosion, sediment, and other wastes controls and water quality practices shall be provided and installed by the subdivider in accordance with the provisions of these Regulations and other regulations of the County.

- A. Construction of Improvements Required. Except as permitted in Section 105.2 of these Regulations, all improvements shall be constructed prior to the granting of the Final Plat approval by the Commission.
- B. Maintenance Guarantee Required. The applicant shall furnish the County Planning Commission and local authority with a maintenance guarantee as part of the Final Plat application. The terms and language of the maintenance guarantee is subject to approval by the County Law Department, while the construction costs for the improvement guaranteed is subject to approval by County Public Works.
 - 1. The purpose of the maintenance guarantee is to insure that the improvements are in satisfactory condition after completion of construction, free from any and all defects in workmanship and materials, to insure that the improvements will hold up under actual conditions, to guarantee the maintenance of the improvements, and, in the case of temporary soil erosion and sediment control, to insure proper removal and remediation in a timely manner.
 - 2. The maintenance guarantee shall be for a period of not less than three years from the date the County Planning Commission adopts a resolution approving the Final Plat, or as otherwise set forth by the County Planning Commission. When determining the required length of the maintenance guarantee, the County Planning Commission shall take into consideration the anticipated improvement construction schedule of the subdivision, the anticipated housing construction completion, and the anticipated time at which final soil stabilization will occur as defined in Section 105.1(D)(2).
 - 3. The amount of the maintenance guarantee shall be equal to 20% of the actual construction cost of all improvements, as reported by the applicant by notarized statement, except that in the case of temporary soil erosion and sediment controls, the guarantee shall cover 100% of the cost to properly remove the temporary structures and

remediate the area. The construction cost of the improvement guaranteed must be submitted to and approved by County Public Works prior to the submission of the final guarantee.

4. The maintenance guarantee shall clearly describe all the improvements covered. The maintenance guarantee for the public street pavement shall also include the maintenance guarantee for all street trees planted in the public right-of-way in compliance with Section 106.3(G) except where the street trees are installed after the recording of the Final Plat, in which case a separate maintenance guarantee shall be required for the street trees.
 5. The maintenance guarantee shall include Cuyahoga County, the Township in which the subdivision is occurring, and when applicable for private streets and other guaranteed improvements that will become the ownership of a Homeowners Association, the Homeowners Association as obligees.
- C. The applicant shall furnish the local authority with locally-required bonding relating to construction or stormwater management.
- D. Maintenance Responsibilities. During the maintenance guarantee period, the applicant shall be responsible for the cost of all labor, materials, equipment and other incidentals required to maintain, repair and replace any or all of such improvements and to maintain them in good and proper condition, excluding ordinary wear and tear and damage by utility companies and/or building contractors, but including filling trenches and restoring lawns, yards, streets, sewers, waterlines, pipelines, and other original installations, repairing defects in materials and workmanship and replacing damaged, dead or diseased street trees.
- E. Procedures for Release of Maintenance Guarantee. The County Public Works Department and the Township shall inspect the improvements prior to expiration of the maintenance guarantee.
1. The applicant shall submit a written request to County Public Works and the Township to release the guarantee prior to its expiration date. Upon receiving this request, inspectors for the County and/or the Township will conduct an inspection of the improvement.
 - a) Each inspector shall file a detailed written report with the County Planning Commission indicating whether or not the improvement(s) have been maintained, or removed, in accordance with the requirements of these Regulations, listing the specific items that need repair, if any, and including a date by which the applicant shall repair the deficiencies.
 - b) Only once a favorable inspection report has been submitted to the County Planning Commission will the maintenance guarantee be released.
 2. Requirements for Release of Water Management Controls Guarantees:
 - a) Slow Release Devices: The guarantee shall be maintained on the temporary sediment removal slow release devices installed in detention and retention basins and temporary sediment basins until the entire site has reached final soil stabilization.

Final stabilization in single-family residential developments is when 90% of the homes are constructed with their lawns completely installed and any remaining unbuilt lots having been permanently stabilized with a uniform ground cover at a growth density of 80% or better.

- b) The maintenance guarantee shall not be released until all temporary soil erosion and sediment control practices that are no longer needed have been removed, properly disposed of and any trapped sediment has been removed or, when permitted by County Public Works to remain on site, stabilized.
 - 3. County Public Works shall notify the applicant in writing of the contents of the report and the date by which repairs shall be made.
 - 4. Subdivision inspection responsibility transfers from County Public Works to the Township after the performance and or maintenance guarantees expire and County Public Works has performed the inspection associated with the performance/maintenance guarantee and any noted deficiencies from said inspection have been addressed by the developer to the satisfaction of both County Public Works and the Township.
- F. Failure to Complete Improvements. In the event a maintenance guarantee has been posted and the required improvements have not been maintained according to the terms of such maintenance guarantee, and the applicant fails to make such maintenance, repairs or replacements by the date included in the written notice by County Public Works or in the event of an emergency which may endanger life or property, County Public Works may declare the principal to be in default of its obligations and make or cause to be made such maintenance, repairs or replacements. The funds of the maintenance guarantee shall be used to make such maintenance, repairs or replacements and County Public Works may make a claim against the maintenance guarantee surety.

SECTION 105.2 DEFERRAL OF CERTAIN IMPROVEMENTS

Upon the request of the applicant, the Cuyahoga County Planning Commission may authorize deferment of the construction or installation of required improvements before approval of the Final Plat if, in the County Planning Commission's judgement, the deferral of the improvement will not negatively impact public health, safety and general welfare; and where the prior installation or construction of such improvement would constitute an undue hardship on the applicant. Improvements that may be deferred include required stormwater controls (if acceptable by County Public Works), street trees and/or other landscaping improvements, or as other items determined at the discretion of the County Planning Commission, or their designee.

- A. Performance Guarantee Required. In the event construction of such improvements is deferred, the County Planning Commission and local authority shall require and may accept in accordance with adopted standards performance guarantees ensuring that such deferred improvements will be properly constructed or installed as part of the Final Plat application. The terms and language

of the maintenance guarantee is subject to approval by the County Law Department, while the construction costs for the improvement guaranteed is subject to approval by County Public Works.

1. The performance guarantee shall stipulate the work to be performed by specific categories and locations so as to determine the exact extent of the work and the estimated value or cost of each category.
 2. The performance guarantee shall be in an amount not less than 120% of the estimated cost of construction and installation of the specified improvements. The cost estimate shall be prepared by a professional engineer and notarized. The construction cost of the improvement guaranteed must be submitted to and approved by County Public Works prior to the submission of the final guarantee.
 3. The performance guarantee shall stipulate an agreed completion date, not to exceed eighteen (18) months after the filing of such Final Plat, for all work to be completed. However, the performance guarantee must state that the guarantee will not be released until the work covered by the guarantee is completed and inspected by Public Works and the Township, as stated in 105.2(A)(5) of this section.
 4. The time allowed for installation of the improvements for which the performance guarantee has been provided may be extended by the Commission, at the request of the applicant.
 5. The duration of the guarantee shall be until such time as the improvements are certified as satisfactory and complete and the bond is released according to division B of this section.
- B. The applicant shall furnish the local authority with locally-required bonding relating to construction or stormwater management, if any.
- C. Procedures for Release of Performance Guarantee.
1. Upon completion of all required improvements for which the performance guarantee has been provided, the applicant shall notify the County Planning Commission in writing of the completion of the improvements and shall send a copy to County Public Works office and the Township.
 2. County Public Works office and/or the Township shall inspect all improvements covered by the performance guarantee and shall file a detailed written report with the County Planning Commission indicating whether or not the improvement(s) have been constructed in accordance with the requirements of these Regulations, listing the specific items that need repair or are not completed, if any.
 3. Within 90 calendar days after receipt of the notice from the applicant of the completion of the improvements, the County Planning Commission shall notify the applicant in

writing of the contents of the report and if repairs are needed shall indicate the date by which such repairs shall be completed.

4. The performance guarantee shall remain in effect until the inspector determines the installation is complete.
 5. Prior to the release of the performance guarantee, the applicant shall post a maintenance guarantee in favor of the Township in accordance with the Township's requirements, if any.
 6. Subdivision inspection responsibility transfers from County Public Works to the Township after the performance and or maintenance guarantees expire and County Public Works has performed the inspection associated with the performance/maintenance guarantee and any noted deficiencies from said inspection have been addressed by the developer to the satisfaction of both County Public Works and the Township.
- D. Failure to Complete Improvements. In those cases in which a performance guarantee has been posted and the required improvements have not been installed within the terms of such performance guarantee, County Public Works may declare the principal to be in default of its obligations and require that all the improvements be installed regardless of the extent of the construction at the time the guarantee is declared to be in default. The funds of the guarantee shall be used to complete the improvements.

SECTION 105.3 FORM OF GUARANTEE

Subject to the approval of the County Law Director, performance and maintenance guarantees shall be provided by one of the following means:

- A. Security bond. The applicant may obtain a security bond from a surety bonding company authorized to do business in the State of Ohio in a form satisfactory to the County Law Director. Bonds may be executed by either the applicant or contractor as principal. However, if the guarantee is posted by the contractor(s), it shall be made for the benefit of the applicant, the County, the Township and the Homeowners Association, if any.
- B. Letter of credit. The applicant may provide an irrevocable letter of credit from a bank or other reputable institution in a form satisfactory to the County Law Director.
- C. Escrow account. The applicant shall deposit cash, or other instruments readily convertible into cash at face value in escrow with a bank.

SECTION 105.4 INSPECTION OF IMPROVEMENTS DURING CONSTRUCTION

The subdivider or his contractor shall not proceed with any construction unless arrangements have been made with the Cuyahoga Soil and Water District for matters of water management and sediment control,

the County Sanitary Engineer's office in matters of storm and sanitary sewers and the County Engineer's office in matters of road and sidewalk improvements to have a County Inspector on the job during construction. The cost of such inspection shall be borne by the subdivider or his contractor according to the fee schedule provided in the Appendix hereof and as set forth by the Department of Public Works.

SECTION 105.5 STREET PAVEMENT, SIDEWALKS, AND CURBS

All public and private streets shall be provided with street pavement, curbs, and sidewalks meeting or exceeding the construction standards established by the County Engineer for the type of subdivision (residential, commercial, or industrial) and street (local, collector or industrial). The current requirements of the County Engineer for local streets in subdivisions are indicated in the document entitled Cuyahoga County Engineer's Improvement Requirements.

SECTION 105.6 SANITARY SEWER IMPROVEMENTS

- A. The subdivider shall first contact the County Sanitary Engineer's office to determine the feasibility of designing and installing a central sewage treatment facility or extending an existing sanitary sewer system and making connections to this system available to all parcels within the proposed subdivision. If the County Sanitary Engineer's office deems that a central sewage treatment facility or the extension of an existing sanitary sewer system is not feasible, the subdivider should then contact the County Health Department and propose the use of individual on-site sewage disposal systems.
- B. Wherever a public sanitary sewer is required, each lot in a proposed subdivision shall be served by and provided with a connection to a sanitary sewer system. Such system shall meet all material and design requirements contained in the documents entitled "Uniform Standards for Sewerage Improvements" and "Uniform Standard Sewer Details" as adopted by the County Sanitary Engineer. All sanitary sewers shall be connected to a wastewater treatment plant that complies with the standards of the County Sanitary Engineer's office and the Ohio EPA.
- C. This Section does not apply to subdivisions that have been approved for development with on-site sewage disposal facilities by the County Health Department. Nevertheless, all possible means of providing accessibility to a public sanitary sewer shall be exhausted prior to proposing an alternative method of sewage treatment and disposal for lots within a proposed subdivision.
- D. Sanitary sewer lines shall be constructed through all new subdivisions to promote the logical extension of public infrastructure to serve adjoining unsubdivided land, unless determined otherwise by the County Planning Commission.

SECTION 105.7 WATER SUPPLY IMPROVEMENTS

- A. A suitable water supply system shall be assured for each lot in the proposed subdivision. In all cases where a public water source is readily available, connection shall be made thereto. All public

water supply facilities including extensions of existing water mains shall be installed in accordance with the construction and material specifications of the City of Cleveland Water Department or other applicable water authority. The location of water mains and appurtenances within the public right-of-way shall be subject to the approval of the Cuyahoga County Engineer's office and County Sanitary Engineer's office.

- B. Prior to proposing an alternative private water supply, all possible means of providing a public water supply for a proposed subdivision shall be exhausted. Any means of private water supply proposed for lots within a subdivision not having accessibility to a public water source shall meet the regulations and approval of the County Health Department.
- C. Water lines shall be constructed through all new subdivisions to promote the logical extension of public infrastructure to serve adjoining unsubdivided land, unless determined otherwise by the County Planning Commission.

SECTION 105.8 STORM SEWERS AND STORM WATER DRAINAGE

A storm sewer system meeting all requirements of the Sanitary Engineer and local authority as expressed in the "Uniform Standards for Sewerage Improvements" shall be installed within the proposed subdivision. All other storm water drainage and control facilities shall be designed and constructed in compliance with the requirements of the County Water Management and Sediment Control Regulations, Article 2.

SECTION 105.9 MONUMENTS, MARKERS AND PINS

- A. Capped iron rods at least 5/8 inch in diameter by at least thirty (30) inches long shall be accurately set and established at the intersections of all outside boundary lines of the subdivision, the intersection of outside boundary lines with all street lines, at the beginning and end of all curves, at points on curves where the radius or direction changes and at all other points within the subdivision as are necessary to establish definitely all lines of the plat.
- B. All centerline of right-of-way control monumentation shall be constructed in accordance with the current County Public Works' standard drawing #MB-1C, or if the monuments are to be cored in place after construction, standard drawing #MB-2C.

SECTION 105.10 CULVERTS AND BRIDGES

Where natural or man-made watercourses intersect any proposed street right-of-way, it shall be the responsibility of the applicant to have satisfactory bridges and/or culverts constructed. Where bridges and/or culverts are required, they shall be subject to the approval of the County Engineer's and Sanitary Engineer's offices. Disturbance to waterways shall conform with USACE permitted guidance as required. In-stream work is to be limited. Effective erosion and sediment controls shall be used to minimize impacts to the water body.

- A. All culverts shall extend across the entire right-of-way width of the proposed street.
- B. The capacity of all culverts and the material utilized for the culvert shall be determined by the County Engineer's office based on individual conditions.
- C. Depending on existing drainage conditions, headwalls may be required by the County Engineer's office based on individual conditions.
- D. When crossing streams, the preferred order of construction chosen shall be:
 - 1. bridges,
 - 2. arch culverts,
 - 3. open bottom box culverts,
 - 4. closed bottom box culverts,
 - 5. pipe culverts.

SECTION 105.11 OTHER PUBLIC UTILITY SERVICES

All other necessary public utilities, including but not limited to electric service and telephone service, shall be provided to all lots within each subdivision. All wires, conduits, and cables associated with such services shall be placed underground.

SECTION 105.12 EROSION CONTROL

The subdivider shall install measures for erosion control in compliance with the County Water Management and Sediment Control Regulations set forth in Article 2 of the Cuyahoga County Land Development Regulations and in compliance with the regulations of the Ohio EPA and US Army Corps of Engineers.

SECTION 105.13 GRADING

The subdivider shall, as part of the improvement construction program, grade in order to establish street, block and lot grades in proper relation to each other as follows:

- A. Streets: Streets shall be graded across the full width of the right-of-way and any adjacent utility easements and shall be subject to the gradient requirements specified in the Cuyahoga County Engineer's Improvement Requirements.
- B. Blocks and Lots: Blocks and lots shall be graded to insure that water is diverted from anticipated building sites; to prevent standing water and soil saturation detrimental to structures and the use of lots; and to preserve desirable site features and grades for safe and convenient access to and around structures. Lot grading shall be designed so that surface water will drain onto grassed

lawns located away from residential construction and into either a drainage structure on the lot, a street gutter and storm sewer or a natural drainage way. Driveway grades shall not exceed ten (10) percent.

SECTION 105.14 OVER-SIZE IMPROVEMENTS

The County Planning Commission may, upon recommendation by the County Engineer or Sanitary Engineer, require the subdivider to construct improvements larger than those required to serve the proposed subdivision and/or additional improvements.

SECTION 105.15 EXTENSIONS TO BOUNDARIES

The subdivider shall be required to extend the utilities and other improvements required herein to the boundary of the proposed subdivision to serve adjoining unsubdivided land.

SECTION 105.16 INSPECTION OF COMPLETED IMPROVEMENTS AND AS-BUILT SUBMITTAL

Upon completion of all improvements required to be constructed prior to Final Plat approval, the subdivider shall request, in writing, inspections by the County Engineer's office, the County Sanitary Engineer's office, and the Township. Such inspections may include core borings and related structural tests with respect to paving improvements, and internal pipe inspection, photography and interpretation of the result thereof or hydrostatic tests with respect to sewer improvements.

- A. If such final inspections for street improvements are found to be in accordance with the specifications set forth on the approved Improvement Plans and Final Plat, and are in good repair, then such finding, endorsed on the plat by the County Engineer's office in the space provided, shall constitute that Office's approval of the street for dedication and acceptance by the County.
- B. Likewise, if such final inspections for storm and sanitary sewer improvements are found to be in accordance with specifications set forth on the approved Improvement Plans and Final Plat, and are in good repair, then such findings shall be endorsed on the Final Plat by the County Sanitary Engineer in the space provided.
- C. If County Public Works finds upon inspection that any one or more of the required improvements have not been constructed in accordance with the approved Improvement Plans, the applicant shall be responsible for properly completing the improvements.
- D. Once the installation of the improvements is complete, the subdivider shall, as soon as practicable and in accordance with Section 104.6 (V).E of these regulations, furnish County Public Works Department with a copy of "as-built" drawings that show the exact location of such improvements and indicating that all public improvements are in accordance with the approved construction drawings for the subdivision. Any drawings of the as-built utilities shall be certified as accurate

by a certified Engineer or Surveyor. The County Public Works Department shall not sign the Final Plat until the subdivider has submitted the "as-built" drawings and the drawings have been determined to be accurate.

- E. In addition to requiring approval by County Public Works for public use, the right-of-way of all streets proposed to be dedicated for public use shall also be accepted by resolution by the County Council with such acceptance shown on the subdivisions Final Plat.

CHAPTER 106. SUBDIVISION DESIGN STANDARDS

SECTION 106.1 PURPOSE

The regulations in this Chapter shall control the manner in which streets, lots, and other elements of a subdivision are arranged on the land. These design controls shall protect the public health, safety and general welfare, and shall also help ensure convenient and safe streets, the creation of usable lots, the preservation of natural features and water quality, the provision of space for public utilities, and the reservation of land for recreational uses.

- A. The County Planning Commission has the primary responsibility for reviewing the design of each future subdivision. In conjunction with other designated public review authorities, the Commission shall ensure that all of the requirements of this article are met.
- B. No Preliminary Plan or Final Plat of land shall be approved unless the County Planning Commission has received proof that the Preliminary Plan or Final Plat conforms with all applicable township regulations.

SECTION 106.2 PHYSICAL CONSIDERATIONS

- A. Preservation of Natural Elements. Subdivisions shall be planned to take advantage of the topography of the land, to economize in the construction of drainage facilities, to minimize destruction of trees and topsoil, to avoid areas of environmental sensitivity, and to preserve such natural features as watercourses, wetland areas, riparian areas, unusual rock formations, large trees over 10 inches diameter breast height, sites of historical significance and other assets which if preserved will add attractiveness and value to the subdivision and the community.
- B. Suitability of Land. If the County Planning Commission finds that land proposed to be subdivided is unsuitable for subdivision development due to flooding, poor drainage, topography, inadequate water supply, transportation facilities and /or other such conditions which may endanger health, life or property; and if from investigations by the designated public reviewing agencies, it is determined that in the best interest of the public the land should not be developed for the purpose proposed, the County Planning Commission may consider the impact on the land proposed for the subdivision and any adequate methods that should be advanced by the subdivider for solving the problems that will be created by the development of the land.

SECTION 106.3 STREETS

- A. Provision of Streets. In order to provide for streets of suitable location, width and improvement to accommodate prospective traffic and afford satisfactory access to police, fire-fighting, snow removal, sanitation and road maintenance equipment and, to coordinate streets so as to compose a convenient system and avoid undue hardships to adjoining properties, the following design standards are hereby required:
1. Continuation of Roads: Proposed streets shall be extended to the boundary of the tract to be subdivided unless, in the opinion of the Commission, such extension is not necessary and, in which case, a proper cul-de-sac is proposed. A reserve strip preventing the continuation of a street shall be prohibited.
 2. Widening: The subdivider shall provide for the dedication of the necessary right-of-way for widening, continuance or alignment of such streets in conformity with the major thoroughfare plan for Cuyahoga County and with any policy plan of the Township applying to property within the boundaries of the subdivision plat.
 3. Layout: The arrangement, character, extent, width and location of all streets shall conform to the major thoroughfare plan for Cuyahoga County, any policy plan adopted by the Township applying to property within the boundaries of the subdivision plat, the Cuyahoga County Engineer's Improvement Requirements and the following layout standards. Such streets shall be considered in their relation to existing and planned streets, topographic conditions, public convenience and safety.
 - a) Single access subdivisions shall not have in excess of 50 dwelling units.
 - b) The maximum length of a cul-de-sac shall be 800 feet.
 - c) The minimum right-of-way width for all streets shall comply with the requirements of the Cuyahoga County Engineer's Improvement Requirements, County Thoroughfare Plan and township regulations, as applicable.
 - d) Half streets shall be prohibited.
 - e) Dead-end streets. Dead-end streets shall be permitted only as part of an approved Preliminary Plan and phasing plan when a subdivision is to be constructed in phases. In such cases, a temporary turn-around shall be constructed at the temporary end of the street. Said turnaround shall have a design approved by the County Engineer's office and shall be maintained by the subdivider. A Temporary Turnaround Easement, labeled "privately maintained", shall be shown on the Final Plat. When street construction resumes, the subdivider shall remove the turnaround at his expense.
- B. Design Principles. Street and driveway alignments should follow natural contours and be designed to conserve natural features. Locations of streets and driveways should be planned to avoid excessive storm water runoff and the need for storm sewers. The area of the subdivision devoted to streets, drives and related pavement should be the minimum necessary to provide adequate and safe movement through the development.

1. Public Streets: Publicly dedicated streets meeting the requirements of the County Engineer's Improvement Requirements shall be required for the following:
 - a) For access to all sublots within the subdivision which are designed to be a part of a standard detached single-family subdivision.
 - b) For all major through streets in any subdivision that connect two existing public streets, or which are intended to provide a future continuing street system beyond the subdivision boundaries, and which are expected to accommodate pass-through traffic going to and from adjacent areas.

2. Private Streets: Streets that are not otherwise required to be public streets pursuant to Division B.1. shall be permitted to be private streets in compliance with the following regulations:
 - a) A private street shall not be planned or expected to be extended to serve property outside the subdivision.
 - b) The applicant shall demonstrate to the reasonable satisfaction of the County Planning Commission that the private streets will be properly controlled and maintained in perpetuity by a Homeowners Association or other means acceptable to the County Planning Commission.
 - c) All elements of a private street shall be constructed in accordance with the construction standards/street section requirements set forth for public streets in the County Engineer's Improvement Requirements.

3. Common Driveways/Access Drive. Common driveways shall be permitted in compliance with the following requirements:
 - a) A common driveway shall serve no more than four dwelling units.
 - b) A common driveway shall extend from a public or private street and shall not connect to any other existing or planned public or private street.
 - c) The applicant shall demonstrate to the satisfaction of the County Planning Commission that the common driveway(s) will be properly controlled and maintained in perpetuity by a Homeowners Association or other means acceptable to the County Planning Commission.
 - d) Rights-of-way are not required for common driveways; however utility easements may be required along the length of each common driveway.
 - e) The construction of common driveways shall comply with all applicable township requirements.
 - f) Address signs and street names shall be provided in accordance with township requirements and shall be coordinated with emergency officials. In addition, street names shall not duplicate the names of any existing public or private streets within the township in which the subdivision is located or within municipalities adjoining the township.

- C. Long-Term Maintenance. Once roads in a residential subdivision have been accepted for public use and following the expiration of the maintenance bond required by these Regulations, the responsibility for the maintenance and repair of such roads is governed by law, including without limitation, ORC Chapter 5535. This statute states that the public highways of the state shall be divided into three classes: state roads, county roads, and township roads.
- D. Street Names. To avoid duplication and confusion, the proposed names of all public and private streets shall be approved by the Township prior to such names being assigned or used.
 - 1. Street Extensions: Whenever a new street is constructed along the approximate alignment or extension of an existing street, its name shall be the same as the existing street.
 - 2. Signs: Street name signs shall be designed in accordance with the applicable township regulations and shall be supplied and erected by the subdivider at all intersections within the new subdivision and at all intersections between new subdivision streets, both public and private, and existing roads. Signs shall be approved by the township and the approved signs shall be shown on the Improvement Plans.
- E. Traffic Control. Street signs and markings to control traffic within the subdivision and any traffic signals or turn lanes deemed necessary to control access to a subdivision from an existing street shall be supplied and erected by the applicant. All such necessary signs and markings shall be erected on public and private streets and shall conform to the current Ohio Manual of Uniform Traffic Control Devices, any supplemental regulations adopted by the township and the regulations of Cuyahoga County Public Works.
- F. Street and Walkway Lighting. Within each subdivision, the subdivider shall install street lights in accordance with township requirements.
- G. Street Trees. Shade trees with a minimum height of eight (8) feet shall be planted within the right-of-way of all public streets within and abutting the subdivision. See Section 106.5 for further regulations involving street trees.

SECTION 106.4 CENTRALIZED MAILBOXES

It is the policy of the United States Postal Service that new subdivisions incorporate centralized mailboxes. Centralized mailboxes shall be reviewed by the County Planning Commission and County Public Works for design criteria, safety, and accessibility concerns.

Allocation of space for cluster mailboxes shall be incorporated on Preliminary Plans, in Improvement Plans, and on the Final Plat.

SECTION 106.5 STREET TREES

- A. One (1) tree shall be planted for every forty (40) feet of public street frontage, exclusive of driveways. Public streets abutting side lines of lots shall be considered frontage for the purpose of determining tree planting requirements.
- B. At least five different species of trees shall be planted throughout the sub-division to provide sufficient genetic diversity and avoid establishment of a mono-cultures.
- C. Trees planted shall be native species that are resistant to damage and disease and that do not cause interference with underground utilities and/or street lighting. Preferred species include but are not limited to the following: Hedge Maple (*Acer campestre*), Red Maple (*Acer rubrum*), Thornless Honey Locust (*Gleditsia triacanthos inermis*) and London Plane Tree (*Platanus acerifolia*). Undesirable species include: Silver Maple, Siberian Elm, Catalpa, Cottonwood, Horsechestnut, Willow, Poplar, Ailanthus and Box elder, Ash.
- D. All trees shall be properly guyed, wrapped and mulched, and the method to be used shall be included in the street tree plan required as part of the Improvement Plans. Binding twine should be completely removed. Planting cages and burlap wrappings should be removed at least half-way down the root ball. When feasible, the entire cage and burlap wrapping should be removed to promote root health.
- E. Street trees shall be maintained by the subdivider for three years after the trees are planted and such maintenance shall be guaranteed according to Section 105.1. Trees shall be watered regularly and in a manner appropriate for the specific plant species through the first growing season. During the guaranteed maintenance period, the subdivider shall replace any dead and dying plants no later than the next planting season. During construction no temporary buildings, structures, storage of materials, or parking of equipment shall be permitted under the drip line of any planted street tree.

SECTION 106.6 SIDEWALKS AND WALKWAYS

- A. Sidewalks shall be required on both sides of public and private streets, shall connect with existing sidewalks on streets adjacent to or within the land subdivided, and shall be placed to enable the eventual continuation with proposed or future sidewalks in the vicinity of the land subdivided.
- B. Sidewalks Along Existing Streets: Whenever the boundary of a subdivision is contiguous to an existing street, a sidewalk shall be required to be constructed along the portion of the existing street that adjoins the subdivision.
- C. Walkways and Bikeways.
 - 1. Whenever blocks are longer than 1,000 feet, a walkway dedication between parallel streets, not less than 10 feet in width, may be required near the center of the block.

2. In addition to required sidewalks within a street right-of-way, walkways and/or bikeways may be required by the County Planning Commission to link dwelling units with other dwelling units, the street, and on-site activity centers such as parking areas and recreational areas, as well as off-site facilities including shopping centers, schools, playgrounds and public building sites.
3. Walkways shall be constructed of the same materials as sidewalks.

SECTION 106.7 LOTS

The lot arrangement and design shall be such that all lots will provide satisfactory building sites, properly related to topography and the character of the surrounding development.

- A. Each lot shall have frontage on a public or private street.
- B. All lots shall conform to applicable township requirements.
- C. Lots with double frontage shall be avoided except where the Commission determines that it is essential to provide separation of residential development from existing streets.
- D. All storm water management detention basins and retention basins shall be located entirely on one lot.

SECTION 106.8 DEDICATION OF LAND FOR PUBLIC USE

In order to provide proper open spaces for circulation of light and air and to avoid future congestion of the population that could be detrimental to the public health, safety and welfare, no subdivision plat shall be approved without the dedication of area for open space park and/or recreation purposes. A minimum of twenty percent (20%) of the area of the subdivision shall be set aside in perpetuity for open space and/or recreational purposes with adequate provisions established for the maintenance of such open space and recreational land. This dedicated area shall meet the requirements of the local authority and shall conform to the following standards and criteria:

- A. Suitability. The land to be so dedicated shall be reasonably suitable, in the judgment of the County Planning Commission, for use as a public park. Areas for passive as well as active recreation will be considered. In determining such reasonable suitability, the County Planning Commission shall consider the following:
 1. In general, land reserved for public purposes should have a contiguous area of at least 2.5 acres and dimensions larger than 70 feet in width at any point. When the percentage required would create less than 2.5 acres, the County Planning Commission may require that the public area be located at a suitable place on the edge of the subdivision so that additional land may be added at such time as the adjacent land is subdivided.

2. Land reserved for recreation purposes shall be of a character and location suitable for use as a playground, playfield, or for other recreation purposes, shall be relatively level and dry and shall have adequate road access for the particular purposes envisioned by the County Planning Commission. To determine suitability, the County Planning Commission shall review the proposed site's topography, major physical characteristics, location with respect to the residents to be served, connections to existing or potential open space on adjoining parcels and other factors deemed relevant to the County Planning Commission.
 3. Land area devoted to storm water or water quality control facilities is not suitable for open space of public recreation purposes.
 4. A recreation site should have adequate frontage on one or more streets.
- B. Location. The County Planning Commission will consider any policy recommendations formally adopted by the Township.
- C. Land set aside for open space purposes shall have a conservation easement placed on it and recorded as a separate parcel belonging to the HOA.

SECTION 106.9 RESOURCE PROTECTION REGULATIONS AND DESIGN GUIDELINES

- A. Purpose: Subdividers are encouraged to design subdivisions in a manner that conserves community resources and open space and protects certain natural features in order to protect the health and safety of the community. More specifically, the purposes of this Section are to:
1. Minimize development on and destruction of certain natural resource areas;
 2. Reduce the quantity and improve the quality of storm water runoff from expected development;
 3. Maintain natural characteristics such as meadows, woods, natural vegetation, slopes, streams, wetlands, riparian areas and hedgerows, and their proper natural function;
- B. Wetlands Protection. Wetlands that are to be retained on site shall be protected by applicable wetlands setback requirements adopted by the Township. The wetlands and corresponding wetlands setbacks shall be depicted on the Final Plat.
- C. Conservation of Riparian Zones. Whenever watercourses on the parcel are required to have a riparian setback, such setbacks shall be provided in accordance with the applicable riparian setback requirements adopted by the Township. The riparian setbacks shall be depicted on the Final Plat.
- D. Supplemental Resource Protection Design Guidelines. Subdivisions should be designed with the following criteria to ensure that the subdivision is appropriate for the site's natural, historic and cultural features.

1. Conservation of Sloping Land. The road system and buildings should be located so as to minimize changes to the topography and the need for cutting and filling.
2. Conservation of Woodlands, Vegetation, and other Natural Areas. The design and layout of the development should conserve, maintain, and incorporate existing wooded areas, meadows, and hedgerows and treelines between fields or meadows, especially those containing significant wildlife habitats, to the greatest extent practicable.
3. Conservation of Wildlife Habitat Areas. Wildlife habitat areas of species listed as endangered, threatened or of special concern by the U.S. Environmental Protection Agency and/or the Ohio Department of Natural Resources shall be protected to the extent required by law.
4. Conservation of Cultural Resources. Sites of historic, archaeological, or cultural value and their environs shall be protected in compliance with all federal and state laws and should be protected insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barns, barn foundations, underground fruit cellars, earth mounds and burial grounds, to the greatest extent practicable.

CHAPTER 107. ADMINISTRATION AND ENFORCEMENT

SECTION 107.1 ADMINISTRATION

The County Planning Commission shall be responsible for the administration of these Subdivision Regulations, which are general rules of uniform application, governing plats and subdivisions of land falling within its jurisdiction, and delegates certain aspects of its authority in accordance with the Ohio Revised Code. The following entities shall assist the County Planning Commission in the administration of these Regulations:

- A. County Planning Director: The county planning director and staff, as delegated, shall be the County Planning Commission's designated representative and shall have the following powers and responsibilities:
 - 1. Receive process, accept, and certify applications as to completeness under these Regulations.
 - 2. Issue final approval or denial of Minor Subdivisions.
 - 3. Issue final administrative interpretation of the Subdivision Regulations.
 - 4. Provide recommendations to the County Planning Commission regarding applications for Preliminary Plan approval and Final Plat approval.
- B. The County Department of Public Works (including both the County Engineer's office and the County Sanitary Engineer's office), Health Department, County Law Director, and the Soil and Water Conservation District, or any other entity as deemed necessary by the County Planning Commission may assist the County Planning Commission and the County Planning Director in its review of all subdivision plans, Improvement Plans and Final Plats.
- C. The Cuyahoga County Council has the authority to:
 - 1. Accept the dedication of all public rights-of-way and all public easements.
 - 2. Adopt standards of construction and require and secure the construction of improvements shown on the Final Plats and plans required by this text.

SECTION 107.2 REVISION OF FINAL PLAT AFTER APPROVAL

No changes, erasures, modifications or revisions shall be made in any Final Plat of a subdivision after approval has been given by the County Planning Commission and an endorsement is made in writing on a Final Plat, unless that Final Plat is first resubmitted and the changes approved by the County Planning Commission.

SECTION 107.3 FEES

Fees are intended to fund the costs of administering these Subdivision Regulations.

- A. Subdivision Preliminary Plan and Final Plat Filing Fees. Non-refundable filing fees in the amount fixed by resolution of the County Council shall be paid to the County Planning Commission when the application is submitted. All applicable filing fees shall be paid in full at the time of submission of an application. Application packages shall be considered to be incomplete and will not be approved for placement on an agenda or otherwise processed until the required fees are paid in full.
- B. Improvement Plan Review and Approval and Field Inspection Fees. The subdivider shall pay all required fees established by County Council for reviewing and approving the Improvement Plans and conducting field inspections of the improvements. The guarantee(s) posted by the subdivider assures the payment of all inspection fees and no financial guarantees will be released until all inspection fees have been paid in full.
- C. Reinspection fees shall be assessed when having to perform a non-routine inspection due to the project being in a deficient status.
- D. A Fee Schedule for these services is found in the Appendix hereof and is available in the offices of the County Planning Commission and County Public Works.

SECTION 107.4 MODIFICATIONS

According to the ORC §711.10(C), the County Planning Commission may modify the requirements of these Subdivision Regulations in specific cases where unusual topographical or other exceptional conditions require such modifications, or in the case of improvements, where unusual or exceptional factors or conditions require such modifications.

- A. The County Planning Commission may permit such modification when it determines that such relief shall not be detrimental to the public interest and shall not impair the desirable development of the neighborhood and community.
- B. In granting a modification, the County Planning Commission may require such conditions as will, in its judgment, substantially secure the objectives of the standards or requirements of these Regulations.
- C. An application for any such modification shall be submitted in writing by the subdivider for the consideration of the County Planning Commission. The application shall state fully the grounds for the modification requested and all the facts relied upon by the applicant.

SECTION 107.5 ENFORCEMENT

Appropriate legal and equitable actions and proceedings may be taken to prevent or remedy any violation of these regulations, to prevent unlawful construction, to recover damages, to restrain, correct, or abate a violation and to prevent illegal occupancy of a building, structure or premises as defined in Article 2 of the Cuyahoga County Land Development Regulations. Remedies may include, but shall not be limited to, the penalties described in Section 107.6.

SECTION 107.6 VIOLATIONS AND PENALTIES

- A. Whoever willfully violates any rule or provisions adopted pursuant to ORC §711.101 or fails to comply with any order pursuant thereto shall forfeit and pay not less than nor more than the amount authorized by ORC §711.102. Such sum may be recovered, with costs, in a civil action brought in the Court of Common Pleas of Cuyahoga County by the legal representative of Cuyahoga County, in the name of the County and for the use thereof.
- B. Any person, whether the owner or agent of the owners, who transfers any lot, parcel or tract of such land from or in accordance with a Final Plat of a subdivision before such Final Plat has been recorded in the Cuyahoga County Fiscal Office, shall forfeit and pay the sum of not less than nor more than the amount authorized by ORC §711.13 for each lot, parcel or tract of land so sold. The description of such lot, parcel or tract by metes and bounds in the deed or transfer shall not serve to exempt the seller from the forfeiture provided in this section.
 - 1. The sum may be recovered in a civil action, brought by the prosecuting attorney, other corresponding official, or the Cuyahoga County Planning Commission, in the name of the county and for the use of the road repair fund thereof.
 - 2. The sale of lots, parcels, or tracts from a Final Plat of a subdivision on which any and all areas indicated as streets or open grounds are expressly indicated as for the exclusive use of the abutting or other owners in the subdivision and not as public streets, ways, or grounds shall not serve to exempt the seller from the requirements of these Regulations or from the forfeiture provided in this section.
- C. Any person who disposes of, offers for sale, or lease for a time exceeding five years, any lot, or any part of a lot, in a subdivision with intent to violate ORC § 711.001 to ORC § 711.14 inclusive of the Ohio Revised Code, shall forfeit and pay the sum of not less than nor more than the amount authorized by ORC §711.15 for each lot or part of lot sold, offered for sale, or leased, to be recovered with costs, in a civil action, in the name of the County Treasurer for the use of the County.

SECTION 107.7 APPEALS

Any person submitting a plat which the County Planning Commission has refused to approve may, within sixty calendar days after the refusal, file a petition in the court of common pleas of Cuyahoga County in accordance with ORC §711.10(C), and the proceedings on the petition shall be governed by Section 711.09 of the Revised Code as in the case of the refusal of a planning authority to approve a plat.

SECTION 107.8 AMENDMENTS

These regulations may be amended, after public hearing and other requirements, as specified in ORC §§ 711.10 and 711.132.

SECTION 107.9 EXPIRATION OR EXTENSION

Failure to comply with stated time periods of these Regulations shall result in the expiration of the application and associated Planning Commission approvals. In accordance with Section 104.5 (VI) and before expiration, the subdivider may provide a letter and extension fee stating why these time periods cannot be met and requesting their extension. The subdivider is solely responsible for knowing expiration dates and meeting or extending them in accordance with these Regulations. The County Planning Commission shall have no duty, obligation or responsibility to remind or notify subdividers of approaching expiration dates.

APPENDIX FEE SCHEDULE

FEE SCHEDULE

MINOR SUBDIVISION:	\$50.00 per lot*
MAJOR SUBDIVISION:	
Preliminary Plan	\$500.00 plus \$15.00 per lot*
Extension	\$250.00
Modification	\$500.00
Improvement Plans	The developer will be responsible for all plan review and inspection costs incurred by Public Works. An initial deposit of 2.50% of construction costs (approved by Public Works) is required at the time of submission for all improvements exclusive of sanitary sewer work. See Section 104.6 (II) for additional information.
	Fees for sanitary sewer Improvement Plans-Consult Sanitary Engineer's office (within County Public Works)
Final Plat	\$500.00 plus \$15.00 per lot*

* Based on the number of lots created after the tract of land has been subdivided.

County Council of Cuyahoga County, Ohio

Resolution No. R2020-0159

<p>Sponsored by: County Executive Budish on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board</p>	<p>A Resolution authorizing a contract with Court Community Service, Inc. in the amount not-to-exceed \$555,000.00 for court community placement and supervision services for probationers referred by the Court in connection with the Community Works Service Placement and Supervision Program for the period 1/1/2021 - 12/31/2023; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive on behalf of Cuyahoga County Court of Common Pleas/Corrections Planning Board has recommended a contract with Court Community Service, Inc. in the amount not-to-exceed \$555,000.00 for court community placement and supervision services for probationers referred by the Court in connection with the Community Works Service Placement and Supervision Program for the period 1/1/2021 - 12/31/2023; and

WHEREAS, the goal of this project is to provide community service placement services for individuals referred by the Cuyahoga County Court of Common Pleas; and

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

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

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

SECTION 1. That the Cuyahoga County Council hereby authorizes a contract with Court Community Service, Inc. in the amount not-to-exceed \$555,000.00 for court community placement and supervision services for probationers referred by the Court in connection with the Community Works Service Placement and Supervision Program for the period 1/1/2021 - 12/31/2023.

Committee Report/Second Reading: August 4, 2020

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September 15, 2020