

1 RESOLUTION NO. 2010-240

Late Filing

2
3 SPONSOR Mr. Pry

4
5 DATE May 24, 2010

COMMITTEE: Public Safety

6
7 **A Resolution authorizing the County Executive to execute the second amendment to both**
8 **the 407 and the 408 contracts with Oriana House, Inc. for the operation of a community**
9 **corrections program to include the expansion of the Court of Common Pleas' Reentry**
10 **Court, for State Fiscal Year 2010 (7/1/09 to 6/30/10), to increase the 407 contract by the**
11 **additional amount of \$156,128.00 for the Reentry Court and to correct a \$2.00 error in the**
12 **actual amount of the 408 contract, for a total amount of \$1,282,145.00 for both the 407 and**
13 **408 contracts, and appropriating grant funds, for the Court of Common Pleas and the**
14 **Executive's Department of Law, Division of Public Safety – Justice Affairs Division, and**
15 **declaring an emergency.**

16
17 WHEREAS, the State of Ohio Department of Rehabilitation and Corrections ("ODRC")
18 through the Community Corrections Act has awarded to the County of Summit grant funds for
19 State Fiscal Year 2010 (7/1/09 to 6/30/10), in the amount of \$757,199.00 for the 407 Grant and
20 \$448,759.00 for the 408 Grant, for a total amount of \$1,205,958.00, with no local cash match
21 requirement, for a community corrections program to be operated by the County Sheriff, the
22 County Adult Probation Department and Oriana House, Inc.; and

23
24 WHEREAS, the County Executive executed the documents necessary to accept the
25 aforementioned grant awards; and

26
27 WHEREAS, this Council subsequently adopted Amended Resolution No. 2009-306,
28 which ratified the Executive's execution of the grant documents; and

29
30 WHEREAS, this Council also adopted Amended Resolution No. 2009-307, which
31 authorized the Executive to execute a contract with Oriana House, Inc. for the operation of a
32 community corrections program for State Fiscal Year 2010 (7/1/09 to 6/30/10), in the amount of
33 \$813,361.00, which is funded by a portion of the 407 and 408 grants; and

34
35 WHEREAS, this Council also subsequently adopted Resolution No. 2009-496, which
36 authorized the Executive to execute any documents necessary to accept the award from the
37 ODRC for State Fiscal Year 2010 of additional grant funds, in the amount of \$249,000.00 for the
38 407 Grant and \$100,000.00 for the 408 Grant, for a total \$349,000.00, with no local cash match
39 requirement, for diversion from prison and jail through the Academic and Employment
40 Diversion Program; and

41
42 WHEREAS, Resolution No. 2009-496 further authorized the Executive to execute the
43 First Amendment to the aforementioned contracts with Oriana House, Inc., to increase the
44 original amount of \$813,361.00 by \$312,655.00, to reflect the increase in 407 and 408 grant
45 funds for the Academic and Employment Diversion Program for a total contract amount of
46 \$1,126,016.00; and

47
48 WHEREAS, upon acceptance of the additional 407 and 408 grant funds, the ODRC
49 actually provided \$100,002.00 for the 408 grant; for a total additional award of \$349,002.00 in
50 grant funds, creating a \$2.00 error in the amount of the 408 contract; and

3
4 WHEREAS, this Council subsequently adopted Resolution No. 2009-505, which ratified
5 the County Executive's execution of documents necessary to accept the award from the ODRC
6 of additional 407 grant funds for State Fiscal Year 2009 in the amount of \$232,907.00, with no
7 local cash match requirement, to expand the County of Summit Court of Common Pleas'
8 Reentry Court; and

9
10 WHEREAS, the additional grant funds were in fact, for State Fiscal Year 2010 and upon
11 acceptance of the additional 407 grant funds, the ODRC actually provided \$232,908.00 rather
12 than \$232,907.00, a \$1.00 discrepancy in the grant amount; and

13
14 WHEREAS, it is necessary to authorize the Executive to execute the Second Amendment
15 to the 407 contract with Oriana House, Inc. to include the expansion of the Court of Common
16 Pleas' Reentry Court and to increase the amount of the contract by the amount of \$156,128.00,
17 which is part of the additional \$232,908.00 in 407 grant funds provided by ODRC, for a total
18 contract amount, including correction of the errors, of \$1,282,145.00; and

19
20 WHEREAS, it is also necessary to authorize the Executive to execute the Second
21 Amendment to the 408 contract with Oriana House, Inc. to correct the \$2.00 error in the amounts
22 to be paid to Oriana House, Inc. and the Sheriff's Office under the contract; and

23
24 WHEREAS, it is necessary to appropriate the additional 407 grant funds, in the amount
25 of \$232,908.00; and

26
27 WHEREAS, it is further necessary to appropriate the additional \$2.00 provided by the
28 ODRC for the 408 grant for the Academic and Employment Diversion Program; and

29
30 WHEREAS, this Council has determined by reviewing all pertinent information that it is
31 necessary and in the best interest of the County of Summit to authorize the Executive to execute
32 the Second Amendment to both the 407 and 408 contracts with Oriana House, Inc. to include the
33 expansion of the Court of Common Pleas' Reentry Court, for State Fiscal Year 2010, in an
34 additional amount of \$156,128.00, for a total contract amount of \$1,282,145.00, and to
35 appropriate grant funds.

36
37 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
38 of Ohio, that:

39
40 SECTION 1

41
42 The County Executive is hereby authorized to execute the second amendment to the 407
43 contract with Oriana House, Inc. for the operation of a community corrections program, to
44 include the expansion of the Court of Common Pleas' Reentry Court, for State Fiscal Year 2010
45 (7/1/09 to 6/30/10), in an additional amount of \$156,128.00 for a total of \$822,739.00, for the
46 expansion of the Court of Common Pleas' Reentry Court. The remainder of the \$232,908.00
47 increase in 407 grant funds, \$76,780.00, will be paid to the Court of Common Pleas. The total
48 amount to be paid to Oriana House, Inc. for both the 407 and 408 contracts is \$1,282,145.00.

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4 SECTION 2

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6 The County Executive is hereby authorized to execute the Second Amendment to the 408
7 contract with Oriana House, Inc. for the operation of a community corrections program for State
8 Fiscal Year 2010 (7/1/09 to 6/30/10), to correct the minor \$2.00 error in the amount, for a total of
9 \$459,406.00 to be paid to Oriana House, Inc. The total amount to be paid to Oriana House, Inc.
10 for both the 407 and 408 contracts is \$1,282,145.00.

11
12 SECTION 3

13
14 Funds are hereby appropriated as follows:

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<u>ACCOUNT NO.</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>
17 27110-3322-20501	Salaries-Pool Budget	\$56,255.00
18 27110-3322-25501	Benefits-Pool Budget	20,526.00
19 23300-3152-65150	Contract Services-Oriana House	<u>156,129.00</u>
20 Total Appropriations		\$232,910.00

21

22 SECTION 4

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24 The County Fiscal Officer is hereby authorized and directed to effect the within
25 appropriations.

26
27 SECTION 5

28
29 This Resolution is hereby declared an emergency in the interest of the health, safety and
30 welfare of the citizens of the County of Summit and for the further reason of immediately
31 authorizing the Executive to execute the Second Amendment to both the 407 and 408 contracts
32 with Oriana House, Inc. for State Fiscal Year 2010 for the operation of a community corrections
33 program, to include the expansion of the Court of Common Pleas' Reentry Court in the 407
34 contract and to correct a minor \$2.00 error in the actual amount of the 408 contract, and to
35 immediately appropriate grant funds.

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37 SECTION 6

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39 Provided this Resolution receives the affirmative vote of eight members, it shall take
40 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
41 effect and be in force at the earliest time provided by law.

42
43 SECTION 7

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45 It is found and determined that all formal actions of this Council concerning and relating
46 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
47 deliberations of this Council and of any of its committees that resulted in such formal action,
48 were in meetings open to the public, in compliance with all legal requirements, including Section
49 121.22 of the Ohio Revised Code.

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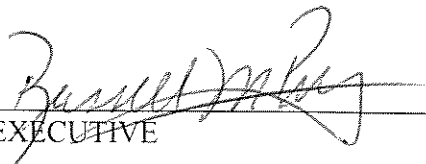
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5 INTRODUCED May 10, 2010

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7 ADOPTED May 24, 2010

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12 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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15 APPROVED May 24, 2010

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18 
19 EXECUTIVE

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22 ENACTED EFFECTIVE May 24, 2010

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras
Poda, Prentice, Rodgers, Schmidt, Shapiro, ABSENT: Smith