

RESOLUTION NO.: 109 -2021
INTRODUCED BY: Mayor Roche

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
FIRST AMENDMENT TO THE 2021 CONTRACTUAL AGREEMENT
WITH CUYAHOGA COUNTY FOR JAIL SERVICES FOR CITY
PRISONERS.**

WHEREAS, the Mayor/Director of Public Safety and the Chief of Police recommend that it will be a more efficient use of police officer time and result in continuing long-term cost savings for the City of Richmond Heights since the City stopped using its own jail facilities in 2017, to continue to contract with Cuyahoga County to use its jail facilities on a per day per prisoner cost basis;

WHEREAS, the County has full service jail facilities available at its main jail facility in downtown Cleveland by contract for municipalities at a reasonable per diem cost;

WHEREAS, the City previously entered into an Amended and Restated Contract (the "Original Contract") with Cuyahoga County on January 1, 2021 to use its jail facilities at the per diem cost of \$122.12 per day through December 31, 2021.

WHEREAS, the County is offering to amend the 2021 Contract to extend the term through December 31, 2022 at the same cost per diem, \$122.12 per day, as the 2021 Contract;

WHEREAS, this Council accepts the recommendations of the Mayor/Director of Public Safety and the Chief of Police in this regard as an efficient and economical use of City resources.

NOW, THEREFORE, Be It Resolved by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: The Mayor is authorized to execute a First Amendment by and between Cuyahoga County and the City substantially in the form of the agreement attached hereto as Exhibit "A" to extend the term of the Original Contract through December 31, 2021, at the cost to the City of \$122.12 per prisoner per day under such other terms and conditions as determined to be reasonable by the Mayor/Director of Public Safety and the Chief of Police and in proper legal form as determined by the Director of Law.

Section 2: 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 or meetings of this Council, 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 full compliance with all legal requirements, including, without limitation, those set forth in Section 121.22 of the Ohio Revised Code.

Section 3: This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: Oct. 26 2021


David H. Roche, Mayor

APPROVED: Oct 26-2021

ATTEST: Rachel E. Jenkins
for Betsy Traben
Clerk of Council

Eloise Cotton-Henry
Eloise Cotton-Henry
President of Council

EXHIBIT "A"

FIRST AMENDMENT

by and between

CUYAHOGA COUNTY, OHIO

and

**THE CITY OF RICHMOND HEIGHTS,
OHIO**

THIS FIRST AMENDMENT (the "Amendment") is made and entered into effective as of the date signed by the County Executive (the "Effective Date"), by and between Cuyahoga County, Ohio a body corporate and politic and a political subdivision of the State of Ohio organized and existing under the Charter of Cuyahoga County effective January 1, 2010, as same may have been amended, modified, and supplemented to the effective date hereof (the "County") and the City of Richmond Heights, Ohio ("Richmond Heights").

WHEREAS, the County and Richmond Heights entered into an Amended and Restated Contract on January 1, 2021 (the "Original Contract") to provide inmate, board, and care services; and

WHEREAS, the Parties now desire to amend the Original Contract.

NOW, THEREFORE, in consideration of mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Original Contract is amended as follows:

1. This Amendment amends the Original Contract and, except as specifically amended hereby, the Original Contract shall remain in full force and effect. The Original Contract, together with this Amendment are herein collectively referred to as the "Contract." In the event of a conflict between this Amendment and the Original Contract, as amended, the terms of this Amendment will prevail.
2. Section II of the Original Contract is amended to extend the Term through December 31, 2022.

ELECTRONIC SIGNATURE

RICHMOND HEIGHTS AGREES ON BEHALF OF THE SUBMITTING BUSINESS ENTITY, ITS OFFICERS, EMPLOYEES, SUBCONTRACTORS, SUBGRANTEES, AGENTS OR ASSIGNS, THAT ALL CONTRACT DOCUMENTS REQUIRING

COUNTY SIGNATURES MAY BE EXECUTED BY ELECTRONIC MEANS, AND THAT THE ELECTRONIC SIGNATURES AFFIXED BY THE COUNTY TO SAID DOCUMENTS SHALL HAVE THE SAME LEGAL EFFECT AS IF THAT SIGNATURE WAS MANUALLY AFFIXED TO A PAPER VERSION OF THE DOCUMENT. RICHMOND HEIGHTS ALSO AGREES ON BEHALF OF THE AFOREMENTIONED ENTITY AND PERSONS, TO BE BOUND BY THE PROVISIONS OF CHAPTERS 304

AND 1306 OF THE OHIO REVISED CODE AS THEY PERTAIN TO ELECTRONIC TRANSACTIONS, AND TO COMPLY WITH THE ELECTRONIC SIGNATURE POLICY OF CUYAHOGA COUNTY.

IN WITNESS WHEREOF, the County and Richmond Heights have executed this Amendment effective as of the Effective Date.

CUYAHOGA COUNTY, OHIO

BY:

**Armond Budish, County Executive,
or designee pursuant to Executive
Orders No. EO2018-0002 dated
October 31, 2018
or No. EO2018-0001 dated February 26, 2018**

AND

THE CITY OF RICHMOND HEIGHTS,

OHIO BY:

NAME:

TITLE:

The legal form and correctness
of this Contract is hereby approved:
Law Department, County of Cuyahoga,
Ohio Jonathan McGory, Assistant Law
Director Gregory G. Huth, Esq. Director
of Law