

RESOLUTION NO.: 133 - 2023 (As Revised 10/24.2023)

INTRODUCED BY: Mayor Thomas

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

WHEREAS, the Mayor/Director of Public Safety and the Chief of Police have found that there has been more efficient use of police officer time and resultant continuing long-term cost savings for the City of Richmond Heights since the City stopped using its own jail facilities in 2017, and they recommend continuing 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/per prisoner 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 through December 31, 2021, and entered into a Second Amendment to extend the term of the Original Contract through December 31, 2023;

WHEREAS, the County is offering to again amend the Original Contract to extend the term for two (2) years through December 31, 2025 at the cost of \$173.00 per day/per prisoner;

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 Third 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, 2025, at the cost to the City of \$173.00 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.

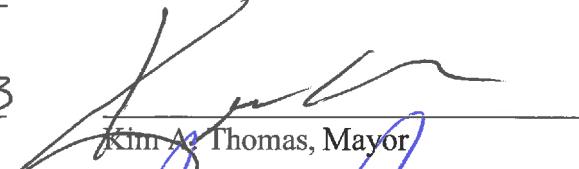
Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting or meetings of this Council, that all deliberations of this Council and of any of its committees that resulted in such formal action, 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: October 24, 2023

APPROVED: October 24, 2023

ATTEST: Donnie Hunter
Donnie L. Hunter
Clerk of Council


Kim A. Thomas, Mayor

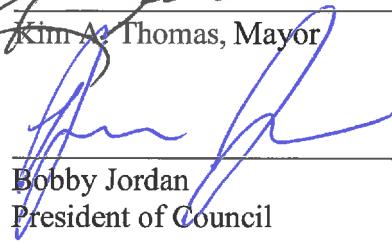

Bobby Jordan
President of Council

EXHIBIT "A"

THIRD AMENDMENT

by and between

CUYAHOGA COUNTY, OHIO

and

CITY OF RICHMOND HEIGHTS

THIS THIRD AMENDMENT (the "Amendment"), effective as of the latest date of signature of the Parties to it (the "Effective Date"), is made and entered into 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 City of Richmond Heights ("Richmond Heights"), a political subdivision of the State of Ohio, having principal place of business at 26789 Highland Road, Richmond Heights, Ohio 44143.

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, 2025.
3. Section I(C) of the Original Contract is amended to increase the amount Richmond Heights will pay the County to \$173 per prisoner per day.

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: _____
Chris Ronayne, County Executive
or designee pursuant to Executive Orders
No. EO2023-0003, dated July 6, 2023

AND

CITY OF RICHMOND HEIGHTS

BY: _____
NAME: _____
TITLE: _____

**The legal form and correctness
of this Contract is hereby approved:
Law Department, County of Cuyahoga, Ohio
Heather Holt, Assistant Law Director
Richard D. Manoloff, Director of Law**