

**COUNCIL OF THE
VILLAGE OF HIGHLAND HILLS**

ORDINANCE NO. 2024-61

For the October 16, 2024
Council Meeting

Introduced by: Mayor Michael L. Booker

Supported by:

AN ORDINANCE AUTHORIZING THE MAYOR AND PRESIDENT OF COUNCIL TO ENTER AND EXECUTE AN AMENDMENT TO THE CONTRACT WITH CUYAHOGA COUNTY FOR HOUSING AND HANDLING OF VILLAGE PRISONERS, AND DECLARING AN EMERGENCY.

WHEREAS, the Village previously entered a contract with Cuyahoga County in accordance with Ordinance 2020-75 to handle and house Village prisoners through the Village Police Department, which agreement was first amended and approved by this Council in October, 2021 and again in October 2022 and October 2023, and

WHEREAS, The County has proposed a second amendment to the agreement to extend the agreement through December 31, 2025, and

WHEREAS, Mayor desires to and recommends approval of this amendment to the contract with Cuyahoga County to extend the original agreement for a period of one year to December 31, 2025 on the terms and conditions set forth in the attached proposed amendment attached as Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HIGHLAND HILLS, OHIO:

Section 1: The Mayor and President of Council are hereby authorized to enter and execute a second amendment to the original jail agreement approved by Ordinance 2020-75 with Cuyahoga County for handling and housing of Village prisoners to extend the term for a period of one year to December 31, 2025. The terms and conditions of the amendment shall be in substantially the same form as attached hereto and incorporated herein fully by reference as Exhibit A.

Section 2: The Law Director shall review and approve the agreement.

Section 3: Council finds and determines that all formal actions of the Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberation of the Council, and of any of its committees resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance is declared to be an emergency measure necessary to provide for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Highland Hills, and for the reason that it is required by Ohio law that the Village be responsible for handling and housing of prisoners and that such duty can be delegated, and it is immediately necessary to enter this agreement for the orderly and timely operations of the Village Police Department and it shall therefore, take effect immediately upon passage.

Passed in Council this 16th day of October, 2024.

First Reading Second Reading _____ Third Reading _____

Vote: Pride yea ___ nay ___ Greene yea ___ nay ___ Mills yea ___ nay ___

McManus yea ___ nay ___ Wright yea ___ nay ___



Cassandra Pride
President of Council


10/16/24
Date

Attest: 
Margaret Sikon, Clerk of Council

10/16/24
Date

Filed with the Mayor:

10/18/24
Date

Approved By: 
Michael L. Booker, Mayor

10/18/24
Date

FOURTH AMENDMENT

by and between

CUYAHOGA COUNTY, OHIO

and

VILLAGE OF HIGHLAND HILLS, OHIO

THIS FOURTH 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 Village of Highland Hills, Ohio ("Highland Hills"), a political subdivision of the State of Ohio, having principal place of business at 3700 Northfield Road, Highland Hills, Ohio 44122.

WHEREAS, the County and Highland Hills 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 1(C) of the Original Contract is amended to increase the total amount Highland Hills will pay the County to **\$189.34 per prisoner per day.**

ELECTRONIC SIGNATURE

HIGHLAND HILLS 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. HIGHLAND HILLS 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 Highland Hills 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

VILLAGE OF HIGHLAND HILLS, OHIO

BY: _____
NAME: _____
TITLE: _____

BY: _____
NAME: _____
TITLE: _____

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

Approved as to form:

Thomas P. O'Donnell
Director of Law
Village of Highland Hills