



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JULY 23, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
5:00 PM**

1. CALL TO ORDER

The meeting was called to order by Council President Connally at 5:00 p.m.

2. ROLL CALL

Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Rogers, Simon and Connally were in attendance and a quorum was determined. Councilmember Jones entered the meeting shortly after the roll-call was taken.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation be dedicated to victims of violence in Cuyahoga County and across the nation.

5. PUBLIC COMMENT RELATED TO AGENDA

Mr. Joseph Gauntner, representing Cuyahoga Job & Family Services, addressed Council regarding Resolution No. R2013-0166, a Resolution proclaiming the month of August 2013 as Child Support Awareness Month in Cuyahoga County.

The following citizens addressed Council regarding issues of concern to them relating to Resolution No. R2013-0132, a Resolution determining to proceed with submitting

to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and human or social services:

- 1) Mr. Steve Morse, Recovery Resources/Council of Agency Directors
- 2) Ms. Liz Cornachione, Mental Health & Addiction Advocacy Coalition
- 3) Mr. Mike Matoney, New Directions

Ms. Karen Clinton addressed Council regarding issues of concern to her relating to Resolution No. R2013-0160, a Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office.

South Euclid City Councilmember Marty Gelfand addressed Council regarding issues of concern to him relating to Resolution No. R2013-0101, a Resolution declaring that public convenience and welfare requires widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland.

6. APPROVAL OF MINUTES

- a) July 9, 2013 Committee of the Whole Meeting
- b) July 9, 2013 Regular Meeting
- c) July 10, 2013 Committee of the Whole Meeting
- d) July 11, 2013 Committee of the Whole Meeting

A motion was made by Mr. Rogers, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the July 9, 2013 Committee of the Whole meeting, the July 9, 2013 regular meeting, the July 10, 2013 Committee of the Whole meeting and the July 11, 2013 Committee of the Whole meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally reported the following:

- 1) Thanked George Phillips, Council Services Coordinator, for his years of service to the County Council upon his resignation;
- 2) Item No. 17, consideration of a Resolution for first reading adoption under suspension of rules/executive session, would be taken out of order and considered after Item No. 25 on the agenda; and

- 3) **Mr. Jeffrey Appelbaum would address Council regarding Resolution No. R2013-0171, a Resolution approving the retention of a criteria architect for the Convention Center Hotel Project pursuant to RQ27969, and discuss the process of selecting Cooper Carry, Inc. as the architect recommended for the project. Mr. Appelbaum then proceeded to address Council.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported that he has received requests from suburban communities in the eastern portion of the County for emergency assistance due to flooding damage from heavy storms over the weekend. The County is currently conducting damage assessments and may request a Disaster Declaration from FEMA.

9. CONSIDERATION OF MOTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) M2013-0022: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga County Debarment Review Board, and declaring the necessity that this Motion become immediately effective:

- 1) Brandon D. Cox
- 2) Roland J. DeMonte
- 3) Evan T. Byron

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Motion No. M2013-0022 to the Human Resources, Appointments & Equity Committee.

- b) M2013-0023: A Motion confirming the County Executive's appointment of individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, and declaring the necessity that this Motion become immediately effective:

- 1) Steve Killpack
- 2) Eileen Saffran

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Motion No. M2013-0023 to the Human Resources, Appointments & Equity Committee.

- c) M2013-0024: A Motion confirming the County Executive's appointment of individuals to serve on the Cuyahoga Regional HIV Health Services Planning Council, and declaring the necessity that this Motion become immediately effective:

- 1) Gwendolyn Bragg
- 2) Susan DiCocco
- 3) Melissa Federman
- 4) ~~Jeffrey~~ **Jeffrey** Hall
- 5) Richard Jason
- 6) Bryan Jones
- 7) Charles Mitchell
- 8) ~~Jason~~ **JAMES** Stevenson
- 9) Leisha Yarbrough-Franklin
- 10) Kimberlin Dennis

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Motion No. M2013-0024 to the Human Resources, Appointments & Equity Committee.

10. CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) R2013-0158: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, changing the appointing authority, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Conwell and Miller

Council President Connally referred Resolution No. R2013-0158 to the Committee of the Whole.

- b) R2013-0159: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Miller

Council President Connally referred Resolution No. R2013-0159 to the Committee of the Whole.

- c) R2013-0160: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon and Miller

Council President Connally referred Resolution No. R2013-0160 to the Committee of the Whole.

- d) R2013-0161: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Greenspan and Miller

Council President Connally referred Resolution No. R2013-0161 to the Committee of the Whole.

- e) R2013-0162: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Greenspan and Miller

Council President Connally referred Resolution No. R2013-0162 to the Committee of the Whole.

- f) R2013-0163: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article VI, Section 6.03 of the Charter of Cuyahoga County establishing the Investment Advisory Committee in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Greenspan

Council President Connally referred Resolution No. R2013-0163 to the Committee of the Whole.

- g) R2013-0164: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan and Schron

Council President Connally referred Resolution No. R2013-0164 to the Committee of the Whole.

11. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION OF COUNCIL FOR SECOND READING

- a) R2013-0127: A Resolution directing the County Executive to develop and propose a program to encourage environmentally and economically efficient employee transportation, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Council President Connally

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

Clerk Schmotzer read Resolution No. R2013-0127 into the record.

This item will move to the August 13, 2013 Council meeting agenda for consideration for third reading adoption.

12. 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 Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution No. R2013-0132.

- a) R2013-0132: A Resolution determining to proceed with submitting to the electors of Cuyahoga County the question of a replacement of 2.9 mills of an existing Health and Human Services levy and an increase of 1.0 mill for the purpose of supplementing general fund appropriations for health and

human or social services, for a period of five years, outside the ten mill limitation, in accordance with the provisions of Section 5705.192 of the Ohio Revised Code; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Brady, Jones, Germana, Miller, **Conwell, Simon and Connally**

Committee Assignment and Chair: Health, Human Services & Aging – Brady

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2013-0132 was considered and adopted by unanimous roll-call vote.

13. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING [WITH RECOMMENDATION TO PLACE ON BALLOT]

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9C and waive reading the legislation by full title and permit a reading by brief title to constitute the second reading for Resolution Nos. R2013-0136, R2013-0137, R2013-0139, R2013-0140, R2013-0143, R2013-0144 and R2013-0145.

- a) R2013-0136: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article VI, Section 6.02 of the Charter of Cuyahoga County clarifying the role of the Board of Revision; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0136 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- b) R2013-0137: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.10(5) of the Charter of Cuyahoga County specifying actions of Council that do not require Executive approval to be binding; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0137 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- c) R2013-0139: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.03 of the Charter of Cuyahoga County preventing the disqualification of a Council member from serving the full term to which the member has been elected due to redistricting; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0139 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- d) R2013-0140: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.01 of the Charter of Cuyahoga County requiring any candidate for election as County Executive be an elector of the County for at least two years immediately prior to filing of the declaration of candidacy; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0140 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- e) R2013-0143: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.04 Vacancy of the Executive of the County Charter requiring the County Executive to designate a successor and more clearly specify the order of succession in

case of a vacancy; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0143 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- f) R2013-0144: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.07 Vacancies and Length of Appointment of Council clarifying the length of appointment should a vacancy in the Council arise; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0144 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- g) R2013-0145: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI adding Section 11.05 Performance Audit of Cuyahoga County's Justice System requiring the County Executive to appoint a board or university to conduct a performance audit of the Cuyahoga County Justice System; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0145 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

14. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR SECOND READING [WITH RECOMMENDATION NOT TO PLACE ON BALLOT]

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9C and waive reading the legislation by full title and permit a reading by brief title to constitute the second reading for Resolution Nos. R2013-0133, R2013-0134, R2013-0135, R2013-0138, R2013-0141, R2013-0142, R2013-0146 and R2013-0147.

- a) R2013-0133: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0133 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- b) R2013-0134: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article III, Section 3.09 of the Charter of Cuyahoga County imposing a duty on Council to enact campaign finance laws governing the election of County officers and officials; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0134 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- c) R2013-0135: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 of the Charter of Cuyahoga County requiring the Executive to solicit the advice of the Administrative Judges served by the Clerk of Courts prior to

appointing the Clerk of Courts; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0135 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- d) R2013-0138: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 of the Charter of Cuyahoga County establishing the Agency of Inspector General in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0138 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- e) R2013-0141: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0141 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- f) R2013-0142: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XII, Section 12.09 of

the Charter of Cuyahoga County adjusting the timeline for the appointment process and the commencement of the term of the Charter Review Commission for the year in which the appointment is made; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0142 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- g) R2013-0146: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article V, Section 5.01 Appointment and Confirmation of Officers and Section 5.08 Sheriff: Powers, Duties, and Qualifications establishing the term of appointment and process of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0146 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

- h) R2013-0147: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of Charter Review Commission

Committee Assignment and Chair: Committee of the Whole – Greenspan

Clerk Schmotzer read Resolution No. R2013-0147 into the record.

This item will move to the August 13, 2013 Council meeting agenda for third reading.

15. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2013-0017: An Ordinance enacting Chapter 603 of the Cuyahoga County Code to establish a Cuyahoga County Fire and Smoke Damper Inspection Program, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Gallagher and Greenspan

Council President Connally referred Ordinance No. O2013-0017 to the Public Safety & Justice Affairs Committee.

16. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2013-0165 and R2013-0166.

- a) R2013-0165: A Resolution amending the 2012/2013 Biennial Operating Budget for 2013 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, in order to meet the budgetary needs of various County departments, offices, and agencies; amending Resolution No. R2013-0118 dated 6/11/2013, to correct typographical errors; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Budget & Management

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2013-0165 was considered and adopted by unanimous vote.

- b) R2013-0166: A Resolution proclaiming the month of August 2013 as Child Support Awareness Month in Cuyahoga County: "Support is Key", and declaring the necessity that this Resolution become immediately effective.

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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0166 was considered and adopted by unanimous vote.

17. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER
SUSPENSION OF RULES / EXECUTIVE SESSION

[Note: Item No. 17 was taken out of order and considered after Item No. 25 on the agenda.]

A motion was made by Mr. Schron, seconded by Mr. Rogers and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters concerning collective bargaining and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 6:40 p.m. The following members were present: Councilmembers Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers and Connally. The following additional attendees were also present: County Executive Ed FitzGerald, Law Director Majeed Makhlof, Director of Public Works Bonnie Teeuwen and Employee Relations Specialist Jason Sobczyk. At 6:49 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the regular meeting.

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rules 9D and 12A.

- a) R2013-0167: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and Teamsters, Local 436, affiliated with the International Brotherhood of Teamsters, representing approximately 31 employees in 12 classifications in the Department of Public Works for the period 1/1/2012 - 12/31/2014; directing that funds necessary to implement the Collective Bargaining Agreement be budgeted and appropriated; 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.

Sponsor: County Executive FitzGerald/Departments of Law and Public Works

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2013-0167 was considered and adopted by unanimous vote.

18. CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) R2013-0168: A Resolution authorizing the appropriation of real property in connection with right-of-way plans for replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective:

- 1) Parcel No(s): 13-WD & T
Permanent Parcel No.: 019-05-016
Owner: Clear Channel Outdoor, Inc., a Delaware Corporation fka Eller Media Company
Approved Appraisal (Fair Market Value Estimate): \$2,794.00

Sponsors: County Executive FitzGerald/Department of Public Works/
Division of County Engineer **and Councilmember Miller**

Council President Connally referred Resolution No. R2013-0168 to the Public Works, Procurement & Contracting Committee.

- b) R2013-0169: A Resolution making an award on RQ24534 to Welcome House, Inc. in the amount of \$650,000.00 for sale of the County Archives Building; authorizing a Lease for said building in the amount of \$12.00 for a 12-month period commencing on the closing date of said sale; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2013-0169 to the Committee of the Whole.

- c) R2013-0170: A Resolution making an award on RQ24534 to Halle Industrial Park, LLC in the amount of \$10,069,265.64 for lease of space for the period anticipated to be 6/1/2014 - 6/30/2024; authorizing the County Executive to take all necessary actions and to execute all

documents necessary to consummate the contemplated transactions, and authorizing the Director of Public Works to administer the project; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2013-0170 to the Committee of the Whole.

- d) R2013-0171: A Resolution approving the retention of a criteria architect for the Convention Center Hotel Project pursuant to RQ27969; awarding an initial 90-day contract with a criteria architect pursuant to the RFQ for an amount not-to-exceed \$1,500,000.00; authorizing the County Executive to negotiate, enter into, and execute a contract and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works

Mr. Schron introduced a proposed substitute to Resolution No. R2013-0171. Discussion ensued. A motion was then made by Mr. Schron, seconded by Mr. Miller and approved by unanimous vote to accept the proposed substitute.

Council President Connally then referred Resolution No. R2013-0171 to the Economic Development & Planning Committee, as substituted.

- e) R2013-0172: A Resolution making an award on RQ27791 to KeyBank Inc. for various banking and treasury services, including implementation of the County's College Savings Account Program, for the period 8/24/2013 - 8/23/2017; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

Council President Connally referred Resolution No. R2013-0172 to the Finance & Budgeting Committee and to the Education, Environment & Sustainability Committee.

- f) R2013-0173: A Resolution approving the adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Human Resources on behalf of Human Resource Commission

Council President Connally referred Resolution No. R2013-0173 to the Human Resources, Appointments & Equity Committee.

- g) R2013-0174: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 12/31/2013; 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:
- 1) to change the scope of services and the terms, effective 7/1/2013, and for a decrease in funds:
 - i) No. CE1100616-01 with Alliance Human Services, Inc. in the amount of (\$738,830.00).
 - ii) No. CE1100617-01 with Applewood Centers Inc. in the amount of (\$631,738.00).
 - iii) No. CE1100620-01 with Bellefaire Jewish Children's Bureau in the amount of (\$268,079.00).
 - iv) No. CE1100623-01 with Catholic Charities Corporation (Parmadale) in the amount of (\$611,817.00).
 - v) No. CE1100621-01 with Guidestone in the amount of (\$616,600.00).
 - vi) No. CE1100613-01 with New Directions, Inc. in the amount of (\$300,000.00).
 - vii) No. CE1100625-01 with Options for Families and Youth in the amount of (\$400,000.00).
 - viii) No. CE1100615-01 with Pathway Caring for Children in the amount of (\$106,095.00).
 - ix) No. CE1100626-01 with Pressley Ridge in the amount of (\$200,000.00).
 - x) No. CE1100628-01 with START - Support to At-Risk Teens in the amount of (\$157,842.00).

- xi) No. CE1100629-01 with The Bair Foundation in the amount of (\$153,673.00).
 - xii) No. CE1100631-01 with The Twelve of Ohio, Inc. in the amount of (\$426,754.00); and
- 2) to change the scope of services and the terms, effective 7/1/2013, and for additional funds:
- xiii) No. CE1100618-01 with Beech Brook in the amount of \$799,406.00.
 - xiv) No. CE1100619-01 with BHC Belmont Pines Hospital, Inc. in the amount of \$289,741.00.
 - xv) No. CE1100622-01 with Caring for Kids, Inc. in the amount of \$60,055.00.
 - xvi) No. CE1100771-01 with Carrington Youth Academy LLC in the amount of \$134,512.00.
 - xvii) No. CE1100610-01 with Diversion-Adolescent Foster Care of Ohio, Inc. in the amount of \$25,641.00.
 - xviii) No. CE1100672-01 with House of New Hope in the amount of \$52,263.00.
 - xix) No. CE1100612-01 with In Focus of Cleveland, Inc. in the amount of \$2,396.00.
 - xx) No. CE1100624-01 with National Youth Advocate Program, Inc. in the amount of \$79,717.00.
 - xxi) No. CE1100627-01 with Specialized Alternatives for Families and Youth of Ohio, Inc. in the amount of \$373,299.00.
 - xxii) No. CE1100630-01 with The Cleveland Christian Home Incorporated in the amount of \$197,303.00.
 - xxiii) No. CE1100633-01 with The Village Network in the amount of \$239,083.00; and
- 3) to change the terms, effective 7/1/2013; no additional funds required:

xxiv) No. CE1100609-01 with Cornell Abraxas Group, Inc.; and

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

Council President Connally referred Resolution No. R2013-0174 to the Health, Human Services & Aging Committee.

19. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- a) R2013-0101: A Resolution declaring that public convenience and welfare requires widening and reconstruction of East 105th Street and intersecting streets from Quincy Avenue to Chester Avenue (Phase 1 – Opportunity Corridor) in the City of Cleveland; total estimated construction cost \$44,475,196.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/ Division of County Engineer and Councilmember Conwell

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

Clerk Schmotzer read Resolution No. R2013-0101 into the record.

This item will move to the August 13, 2013 Council meeting agenda for consideration for third reading adoption.

20. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2013-0121, R2013-0131, R2013-0149, R2013-0150, R2013-0151, R2013-0152, R2013-0153, R2013-0154, R2013-0155, R2013-0156 and R2013-0157.

- a) R2013-0121: A Resolution adopting the 2013 Economic Development 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 FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning –
Schron

On a motion by Ms. Conwell with a second by Mr. Schron, Resolution No. R2013-0121 was considered and adopted by unanimous vote.

- b) R2013-0131: A Resolution authorizing an amendment to Contract No. CE1200346-01 with Applewood Centers, Inc. for Staff Secure Shelter Program and Placement Planning Day Report services for the period 6/1/2012 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount not-to-exceed \$731,455.20; 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 FitzGerald on behalf of Juvenile Court

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

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0131 was considered and adopted by unanimous vote.

- c) R2013-0149: A Resolution authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-5010 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road Intersection in the City of Shaker Heights and Village of Highland Hills; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective:

- 1) Parcel No(s): 2-WD & T
Permanent Parcel No.: 736-28-060
Owner: Cleveland I Limited Partnership, a Maryland Limited Partnership
Approved Appraisal (Fair Market Value Estimate): \$641,750.00

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

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

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0149 was considered and adopted by unanimous vote.

- d) R2013-0150: A Resolution making an award on RQ27640 to Specialized Construction Incorporated in the amount not-to-exceed \$1,598,608.15 for resurfacing Solon Road from Maple Street to Solon North Corporation Line in the Villages of Bentleyville and Chagrin Falls; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works/
Division of County Engineer and Councilmember Jones

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0150 was considered and adopted by unanimous vote.

- e) R2013-0151: A Resolution making an award on RQ26659 to United Labor Agency, Inc. in the amount not-to-exceed \$1,339,500.00 for Employer Services for the period 7/1/2013 - 6/30/2014; 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.

Sponsor: County Executive FitzGerald/Department of Workforce Development

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Mr. Rogers with a second by Ms. Conwell, Resolution No. R2013-0151 was considered and adopted by unanimous vote.

- f) R2013-0152: A Resolution making awards on RQ26661 to various providers in the total amount not-to-exceed \$2,641,737.00 for

Employment Connection One-Stop Operation and Services to Job Seekers for the period 7/1/2013 - 6/30/2014; 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:

- 1) Mature Services, Incorporated in the amount not-to-exceed \$262,237.00.
- 2) United Labor Agency, Inc. in the amount not-to-exceed \$2,379,500.00.

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board

Committee Assignment and Chair: Education, Environment & Sustainability – Rogers

On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2013-0152 was considered and adopted by unanimous vote.

- g) R2013-0153: A Resolution authorizing the County Executive to accept, on behalf of the County, the donation of four cemetery lots within the Crown Hill Cemetery, Twinsburg, Ohio, from Charles A. Suhay, valued at approximately \$4,000.00, for the purpose of accommodating indigent burials; authorizing the County Executive to execute all documents that are necessary to effectuate such transfer; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Medical Examiner

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

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0153 was considered and adopted by unanimous vote.

- h) R2013-0154: A Resolution authorizing an amendment to Contract No. CE1100151-02 with Guidestone fka Berea Children’s Home for Community-based Treatment Center Management Services for the period 1/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds in the amount of \$1,153,828.80; 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.

Sponsors: County Executive FitzGerald on behalf of Juvenile Court

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

On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2013-0154 was considered and adopted by unanimous vote.

- i) R2013-0155: A Resolution making an award on RQ26143 to Emergency CallWorks, Inc. in the amount not-to-exceed \$11,612,184.00 for Vendor-hosted Next Generation 9-1-1 Services for the period 8/1/2013 - 1/31/2025; 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 FitzGerald/Department of Public Safety and Justice Services and Councilmembers Rogers, Germana, Miller, Conwell and Greenspan

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

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0155 was considered and adopted by unanimous vote.

- j) R2013-0156: A Resolution authorizing a revenue generating agreement with Warrensville Heights City School District in the amount not-to-exceed \$2.00 for lease of space at the Green Road Services Center, located at 4329 Green Road, Highland Hills, for operation of special education and early childhood programs for the period 8/1/2013 - 7/31/2015; 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 FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities and Councilmember Germana

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0156 was considered and adopted by unanimous vote.

- k) R2013-0157: A Resolution authorizing various revenue generating agreements with Educational Service Center of Cuyahoga County, each in the amount not-to-exceed \$2.00, for lease of space at various Cuyahoga County Board of Developmental Disabilities Centers for operation of Help Me Grow Programs for the period 9/15/2013 - 9/14/2015; authorizing the County Executive to execute the agreements and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) Green Road Services Center, located at 4329 Green Road, Highland Hills.
- 2) William Patrick Day Services Center, located at 2421 Community College Avenue, Cleveland.

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Board of Developmental Disabilities and Councilmember Germana

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0157 was considered and adopted by unanimous vote.

21. CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2013-0018: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's performance bond and insurance requirements and repealing Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 in conformity therewith; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Law and Councilmember Jones

Council President Connally referred Ordinance No. O2013-0018 to the Public Works, Procurement & Contracting Committee.

22. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND
READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance No. O2013-0015.

- a) O2013-0015: An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/County Sheriff and Director of Law **and Councilmember Germana**

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

On a motion by Mr. Gallagher with a second by Mr. Germana, Ordinance No. O2013-0015 was considered and adopted by unanimous vote.

23. MISCELLANEOUS COMMITTEE REPORTS

Mr. Greenspan reported that the Committee of the Whole will meet on Wednesday, July 24, 2013 at 9:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, August 5, 2013 at 1:00 p.m.

Mr. Schron reported that the Economic Development & Planning Committee will meet on Monday, July 29, 2013 at 9:00 a.m. and tentatively on Monday, August 5, 2013 at 9:00 a.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, August 6, 2013 at 10:00 a.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, August 7, 2013 at 11:00 a.m.

Mr. Rogers reported that the Education, Environment & Sustainability Committee will meet on Wednesday, July 31, 2013 at 3:00 p.m.

Ms. Conwell reported that the Health, Human Services & Aging Committee will meet on Wednesday, August 7, 2013 at 1:00 a.m.

24. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

25. PUBLIC COMMENT UNRELATED TO AGENDA

There was no public comment.

[Note: Item No. 17 was taken out of order and considered after Item No. 25 on the agenda.]

26. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Council President Connally at 6:52 p.m., without objection.