



AGENDA
CUYAHOGA COUNTY COUNCIL OPERATIONS & INTERGOVERNMENTAL RELATIONS
COMMITTEE MEETING
TUESDAY, FEBRUARY 19, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
3:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE FEBRUARY 5, 2013 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) Old Business
 - 1) O2013-0002: An Ordinance amending the Public Records Policy for Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.
 - b) New Business
 - 1) R2013-0032: A Resolution supporting the submission of applications on behalf of Cuyahoga County for fifth-round funding under the Local Government Innovation Fund available through the State of Ohio, Development Services Agency; authorizing the County Executive and Department Directors to take all steps necessary in furtherance of this goal, including entering into partnership initiatives/memoranda of understanding with any other potential partners; and declaring the necessity that this Resolution become immediately effective

- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**
- 8. ADJOURNMENT**

*In accordance with Ordinance No. O2011-0020, as amended, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

CUYAHOGA COUNTY COUNCIL OPERATIONS & INTERGOVERNMENTAL RELATIONS COMMITTEE MEETING

**TUESDAY, FEBRUARY 5, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM**

1. CALL TO ORDER

Chairman Greenspan called the meeting to order at 1:08 p.m.

2. ROLL CALL

Mr. Greenspan asked Assistant Deputy Clerk Carter to call the roll. Committee members Greenspan, Miller, Brady, Connally and Gallagher were in attendance and a quorum was determined.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES

- a) June 25, 2012 Intergovernmental Relations & Collaboration Committee Meeting
- b) January 15, 2013 Rules, Charter Review, Ethics & Council Operations Committee Meeting

A motion was made by Mr. Miller, seconded by Ms. Connally and approved by majority vote to approve the minutes of the June 25, 2012 Intergovernmental Relations & Collaboration Committee meeting and January 15, 2013 Rules, Charter Review, Ethics & Council Operations Committee meeting, with Mr. Gallagher abstaining from the vote.

5. MATTERS REFERRED TO COMMITTEE

a) New Business

- 1) O2013-0001: An Ordinance establishing general definitions for the Cuyahoga County Code and authorizing the Clerk of Council to officially publish the Cuyahoga County Code as approved by the County's Director of Law; and declaring the necessity that this Ordinance become immediately effective.

Ms. Jeanne Schmotzer, Clerk of Council, and Mr. Majeed Makhoulf, Law Director, addressed the Committee regarding Ordinance No. O2013-0001. Discussion ensued.

Committee members asked questions of Ms. Schmotzer and Mr. Makhoulf pertaining to the item, which they answered accordingly.

Mr. Greenspan introduced a proposed substitute to Ordinance No. O2013-0001. A motion was then made by Mr. Miller, seconded by Ms. Connally and approved by unanimous vote to accept the proposed substitute to Ordinance No. O2013-0001.

On a motion by Mr. Miller with a second by Mr. Brady, Ordinance No. O2013-0001 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading, as substituted.

- 2) O2013-0002: An Ordinance amending the Public Records Policy for Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.

Mr. Miller addressed the Committee regarding Ordinance No. O2013-0002. Discussion ensued.

A motion was made by Mr. Miller, seconded by Ms. Connally and approved by unanimous vote to amend Ordinance No. O2013-0002 by deleting "*Information Services Center*" and inserting "*Department of Information Technology*" in Section 5.2 (A) and (B).

A motion was then made by Mr. Miller, seconded by Ms. Connally and approved by unanimous vote to amend Ordinance No. O2013-0002 by inserting "*Such schedule shall be kept on file by each public office as a public record*" in Section 5.7; and deleting "*and the public records retention schedule for each office*" in Section 5.9 (B).

No further legislative action was taken on Ordinance No. O2013-0002.

6. MISCELLANEOUS BUSINESS

- a) Presentation by Ed Jerse, Director of Regional Collaboration

Mr. Ed Jerse, Director of Regional Collaboration, provided an overview of the Department of Regional Collaboration. Discussion ensued.

Committee members asked question of Mr. Jerse pertaining to the item, which he answered accordingly.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss, Chairman Greenspan adjourned the meeting at 2:30 p.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0002

Sponsored by: Councilmember Miller	An Ordinance amending the Public Records Policy for Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, on January 3, 2011 the Cuyahoga County Council passed Ordinance No. O2011-0003, which adopted a Public Records Policy for Cuyahoga County, and was amended by Ordinance No. O2011-0012; and

WHEREAS, it is necessary to amend the Public Records Policy to clarify potentially ambiguous provisions therein and to ensure that the Public Records Policy accurately reflects Council's original intent in enacting the Public Records Policy; and

WHEREAS, it is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue and to continue the usual and daily operation of the County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. Sections 5.2(A) and (B), 5.5(B), 5.7 and 5.9(B) of Chapter 5: Public Records, and Sections 7.1 and 7.2 of Chapter 7: Costs of Public Records, as amended by Ordinance O2011-0012, are hereby amended to read as follows (additions are bolded, deletions are stricken out):

Section 5.2: Maintenance of Electronic Mail

- A.) All electronic mail sent or received through the Cuyahoga County ~~Information Services Center~~**Department of Information Technology system** shall be the property of Cuyahoga County. The necessity to maintain electronic mail as public records shall depend on the content of the records, not on the medium in which it is kept. It shall be the responsibility of the public records managers and each individual user to insure that electronic mail is maintained in accordance with the records retention schedule for each office, and that records which must be kept for an extended length of time will not be placed in files where they will be automatically deleted.
- B.) Each person covered by this ordinance shall also insure that all public record electronic mail sent or received outside of the County ~~Information Services Center~~**Department of Information Technology system** are maintained so that they are readily available for inspection

and copying in accordance with the records retention schedule for each office.

Section 5.5: Designation of Public Records Managers

B.) For the following offices, the person designated as public records manager shall be an employee of the office who works at the principal place at which that office does business:

- a. the County Executive, including all executive office staff
- b. the County Council
- c. the ~~Law~~ **Department of Law**
- d. the Sheriff
- e. the Medical Examiner
- f. the Clerk of Courts
- g. the Department of ~~Economic Development, which shall include the Office of Collaboration~~
- h. the ~~Information Officer~~ **Department of Information Technology**
- i. the Department of Public Works
- j. the Department of Purchasing
- k. the Department of Human Resources
- l. the Fiscal Office
- m. the ~~Child Support Enforcement Agency~~ **Cuyahoga Job and Family Services (CJFS)**
- n. the Division of Children and Family Services
- o. ~~the Division of Employment and Family Services~~
- po. the Division of Senior and Adult Services
- qp. the ~~Director of Human Services, which shall include the Director's Office and all other offices in the~~ **Department of Health and Human Services** ~~not covered by items twelve (12) through fifteen (15) above.~~
- rq. the **Agency of the Inspector General**
- r. **the Department of Regional Collaboration**
- s. **the Department of Communications**
- t. **the Department of Public Safety and Justice**
- u. **the Department of Consumer Affairs**
- v. **the Department of Internal Auditing**

Section 5.7: Records Retention Schedules

Each public office shall have a records retention schedule in place, which shall specify, consistent with state law, the methods by which and the length of time that records shall be kept. **Such schedule shall be kept on file by each public office as a public record.** For any office that has a records retention schedule in place at the time that this ordinance becomes effective, that records retention schedule shall remain in effect until it is amended according to the procedure set forth in Section 149.38 of the Ohio Revised Code. Each public office that does not have a records retention schedule in place at the time that this ordinance becomes

effective shall propose a public records retention schedule to the County Records Commission, in accordance with the procedure set forth in Section 149.38 of the Ohio Revised Code, not later than June 30, 2011.

Section 5.9: Publication of Public Records Policy

B.) The County Executive and the Clerk of Council shall each post on their respective web-pages the full Public Records Policy of Cuyahoga County, a summary of that policy, instructions on how to obtain public records, and a list of all of the public records managers for Cuyahoga County government and their contact information, ~~and the public records retention schedule for each office.~~

Section 7.1: County Council to Determine Copy Costs for Public Records

Persons requesting copies of public records shall be required to pay for the cost of making copies, at a rate not to exceed the actual cost of making copies. Payment in advance may be required.

Starting in calendar year 2011, the County Council shall ~~biannually~~ **biennially (once every two years)** determine and establish the copying costs for public records.

Section 7.2: Interim Copy Costs for Public Records

Except as otherwise provided by court order **or law**, the following copying costs shall apply until the County Council first determines and establishes copying costs for public records:

SECTION 2. It is necessary that this Ordinance become immediately effective in order that critical services provided by Cuyahoga County can continue, and to continue the usual and daily operation of a County entity. Provided that this Ordinance receives the affirmative vote of eight members of Council, this Ordinance shall become immediately effective upon the signature of the County Executive.

SECTION 3. It is found and determined that all formal actions of this Council relating to the adoption of this Ordinance were adopted in an open meeting of the Council, and 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 compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Ordinance was duly enacted.

Yeas:

Nays:

County Council President Date

County Executive Date

Clerk of Council Date

First Reading/Referred to Committee: January 22, 2013
Committee(s) Assigned: Council Operations & Intergovernmental Relations

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0032

<p>Sponsored by: County Executive FitzGerald/Department of Regional Collaboration</p>	<p>A Resolution supporting the submission of applications on behalf of Cuyahoga County for fifth-round funding under the Local Government Innovation Fund available through the State of Ohio, Development Services Agency; authorizing the County Executive and Department Directors to take all steps necessary in furtherance of this goal, including entering into partnership initiatives/memoranda of understanding with any other potential partners; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, Section 3.17 of the County’s Contracting and Purchasing Procedures Ordinance, Ordinance No. O2012-0015, as amended, provides that the “County Executive may apply for and accept grants on behalf of the county, and execute all agreements and any other documents in connection with same, without specific approval from the Contracts and Purchasing Board, the Board of Control, or the County Council,” and Section 4.15 provides that “[t]his Ordinance is intended to fulfill any state, federal, or other requirement for a Resolution or Ordinance granting the County Executive the authority to apply for or accept grants on behalf of the County;” and,

WHEREAS, to further demonstrate the County’s support and bolster the County’s applications for funding from the Local Government Innovation Fund administered by the State of Ohio, the County Executive has requested specific support from the County Council through this Resolution, in addition to the general authority granted to the County Executive in the Contracting and Purchasing Procedures Ordinance, to submit applications by County departments and agencies, where Cuyahoga County is serving as the ‘primary applicant’ or as a ‘collaborative partner’ with political subdivisions for the fifth round of funding from the Local Government Innovation Fund available through the State of Ohio, Development Services Agency; and,

WHEREAS, in accordance with the application procedures for the Local Government Innovation Fund, the State of Ohio, Development Services Agency, requests a resolution of support from the applicant’s and collaborative partner’s governing entity; and,

WHEREAS, the Local Government Innovation Fund was established to provide financial assistance to Ohio political subdivisions for planning and implementing projects that are projected to create more efficient and effective service delivery within a specific discipline of government services for one or more entities; and,

WHEREAS, through the Local Government Innovation Fund, the State of Ohio, Development Services Agency seeks to promote efficiency, collaboration, merger, and shared services among local governments; and,

WHEREAS, the applications are to be submitted for fifth round of funding to the Local Government Innovation Fund where Cuyahoga County is the 'primary applicant' or as a 'collaborative partner' in order to facilitate efficiencies in various disciplines of government service including economic development, education, information technology, and regional collaboration; and,

WHEREAS, Cuyahoga County plans to work collaboratively on submitting applications with a number of municipal, non-profit, and private partners across the county and region; and,

WHEREAS, the applications for the fifth round of Local Government Innovation Fund awards are due on March 4, 2013 to the State of Ohio, Development Services Agency; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order to meet the application deadlines mandated by the State of Ohio, Development Services Agency.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. The County Council hereby supports the submission of applications by County departments and agencies as the 'primary applicant' and as a 'collaborative partner' with political subdivisions for the fifth round of funding from the Local Government Innovation Fund available through the State of Ohio, Development Services Agency.

SECTION 2. The County Executive and Department Directors are hereby authorized to take all steps necessary in furtherance of the County's applications to the Local Government Innovation Fund, including, but not limited to, entering into partnership initiatives/memoranda of understanding, with any other potential partners.

SECTION 3. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 4. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and 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 compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: February 12, 2013

Committee(s) Assigned: Council Operations & Intergovernmental Relations

Journal _____
_____, 2013