



AGENDA
CUYAHOGA COUNTY COUNCIL OPERATIONS & INTERGOVERNMENTAL RELATIONS
COMMITTEE MEETING
MONDAY, SEPTEMBER 15, 2014
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS
COUNCIL CHAMBERS – 4TH FLOOR
9:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE AUGUST 25, 2014 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2014-0217: A Resolution approving and concurring with amendments made to the Northeast Ohio Areawide Coordinating Agency (“NOACA”) Code of Regulations on 7/11/2014 as shown in NOACA Resolution Nos. 2014-033 and 2014-034, and declaring the necessity that this Resolution become immediately effective.
 - b) O2014-0022: An Ordinance enacting the County Executive Transition Act, and declaring the necessity that this Ordinance become immediately effective.
- 6. MISCELLANEOUS BUSINESS**
- 7. OTHER PUBLIC COMMENT**

8. ADJOURNMENT

**Complimentary parking for the public is available in the attached garage at 900 Prospect. A skywalk extends from the garage to provide additional entry to the Council Chambers from the 5th floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*



MINUTES

CUYAHOGA COUNTY COUNCIL OPERATIONS & INTERGOVERNMENTAL RELATIONS COMMITTEE MEETING

MONDAY, AUGUST 25, 2014

CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS

COUNCIL CHAMBERS – 4TH FLOOR

9:00 AM

1. CALL TO ORDER

Chairman Greenspan called the meeting to order at 9:05 a.m.

2. ROLL CALL

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

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE MAY 19, 2014 MEETING

A motion was made by Ms. Connally, seconded by Mr. Greenspan and approved by unanimous vote to approve the minutes of the May 19, 2014 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) O2014-0016: An Ordinance amending Section 106.06 of the Cuyahoga County Code to establish copying costs for public records.

Mr. Miller addressed the Committee regarding Ordinance No. O2014-0016. Discussion ensued.

On a motion by Mr. Miller with a second by Mr. Greenspan, Ordinance No. O2014-0016 was considered and approved by unanimous vote to be referred to the full Council agenda for second reading.

- b) O2014-0022: An Ordinance enacting the County Executive Transition Act, and declaring the necessity that this Ordinance become immediately effective.

Mr. Brady introduced a proposed substitute to Ordinance No. O2014-0022. Discussion ensued.

Mr. Trevor McAleer, Legislative Budget Advisor, and Mr. Michael King, Special Counsel, addressed the Committee regarding Ordinance No. O2014-0022. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. McAleer and Mr. King pertaining to the item, which they answered accordingly.

A motion was then made by Ms. Connally, seconded by Mr. Gallagher and approved by unanimous vote to accept the proposed substitute.

No further legislative action was taken on Ordinance No. O2014-0022.

6. DISCUSSION

- a) Agency of the Inspector General Semiannual Report

Ms. Nailah Byrd, Inspector General, and Ms. Andrea Nelson-Moore, Assistant Inspector General, provided an overview and report of activities from the Agency of Inspector General relating to the Semiannual Report including the budget, staffing, number and type of complaints received, investigations and debarment process. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Byrd and Ms. Nelson-Moore pertaining to the item, which they answered accordingly.

- b) Update regarding Department of Regional Collaboration initiatives

Ms. Jennifer Scofield, Director of the Department of Regional Collaboration, provided an update regarding the Department of Regional Collaboration's activities and initiatives. Discussion ensued.

Committee members and Councilmembers asked questions of Ms. Scofield pertaining to the item, which she answered accordingly.

7. MISCELLANEOUS BUSINESS

Mr. Greenspan announced that the next Council Operations & Intergovernmental Relations Committee meeting will be held on Monday, September 15, 2014 at 9:00 a.m.

8. OTHER PUBLIC COMMENT

No public comments were given.

9. ADJOURNMENT

With no further business to discuss, Chairman Greenspan adjourned the meeting at 10:58 a.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2014-0217

Sponsored by: Councilmembers Connally, Conwell and Germana	A Resolution approving and concurring with amendments made to the Northeast Ohio Areawide Coordinating Agency (“NOACA”) Code of Regulations on 7/11/2014 as shown in NOACA Resolution Nos. 2014-033 and 2014-034, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, on July 11, 2014 the governing board of NOACA adopted the NOACA Board Resolution Nos. 2014-033 and 2014-034 to amend the NOACA Code of Regulations; and

WHEREAS, the amendments to Articles IV and IX of the NOACA Code of Regulations do not become effective unless and until ratified by the five member counties; and

WHEREAS, Article IV of the NOACA Code of Regulations establishes the NOACA Board of Directors, providing for the Board’s duties, composition, alternates, terms, election of officers, vacancies, removal of members, compensation of board members, and applicability of Ohio Ethics Law; and

WHEREAS, Article IX of the NOACA Code of Regulations governs the process by which the NOACA Code of Regulations may be amended; and

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

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

SECTION 1. That the Cuyahoga County Council hereby approves and concurs with the amendments made to the NOACA Code of Regulations on July 11, 2014, as shown in NOACA Resolution Nos. 2014-033 and 2014-034.

SECTION 2. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional 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

County Council of Cuyahoga County, Ohio

Ordinance No. O2014-0022

Sponsored by: Councilmember Brady	An Ordinance enacting the County Executive Transition Act, and declaring the necessity that this Ordinance become immediately effective.
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WHEREAS, Council seeks to promote the orderly transfer of executive power in connection with the expiration of the term of a County Executive and the inauguration of a new County Executive; and,

WHEREAS, it is in the County's interest to avoid or minimize any disruption to ongoing operations and the provision of services to County citizens; and,

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

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

SECTION 1: Section 102.01 of the Cuyahoga County Code is hereby amended to insert subsection (J) as follows; and the following subsections shall be renumbered accordingly:

- J. **"Executive-elect"** shall mean such person as is the apparent successful candidate for the office of County Executive as ascertained by the Director of Law following the general elections held for the office of County Executive.

SECTION 2. Chapter 111 of the Cuyahoga County Code is hereby enacted to read as follows:

Chapter 111. Legal Services for Executive-elect and Office of the Executive-elect

Section 111.01 Executive-elect and the Office of the Executive-elect's Access to Legal Representation and Attorney-Client Privilege

- A. The Executive-elect and the Office of the Executive-elect shall have the right to receive legal advice, opinions, and representation from the Law Department.

- B. The Law Department shall add the Executive-elect and the Office of the Executive-elect as clients with full rights, including the ability to access the Law Department's electronic intake system as clients.
- C. In receiving legal advice, opinions, and representation from the Law Department, the Executive-elect and the Office of the Executive-elect shall each be entitled to their own attorney-client privilege with the Law Department as their legal counsel. The Law Department shall take the necessary measures to protect the confidentiality of its communications with the Executive-elect and the Office of the Executive-elect, including protection from disclosure of such communications to the Executive or Council.

SECTION 3: Section 202.19 of the Cuyahoga County Code is hereby enacted to read as follows:

Section 202.19 Office of the Executive-elect

- A. Not sooner than the second Monday in November in each year in which a new County Executive is elected, the Executive-elect may appoint no more than five immediate staff members to the Office of the Executive-elect. The Office of the Executive-elect shall assist the Executive-elect in preparing for the assumption of official duties as County Executive. All operations of the Office of the Executive-elect shall terminate no later than January 15 of the year following the election for County Executive.
- B. Employees of County agencies may be detailed to the Office of the Executive-elect with the consent of the County Executive and the director of their respective agency; and, while so detailed, such employees shall be responsible only to the Executive-elect. Any employee so detailed shall continue to receive the compensation provided for regular employment.
- C. Employees of the Office of the Executive-elect shall serve in a temporary, unclassified capacity; provided however that those employees detailed from other County agencies shall retain the rights and privileges of their permanent employment without interruption.
- D. The Council shall make appropriations in the operating budget for the fiscal year in which a new Executive is elected for the payment of salaries of staff of the Office of the Executive-elect and other reasonable expenses of the Executive-elect during the period of transition. All funds appropriated for carrying out the purposes of this Section shall not exceed \$250,000 for any one County Executive transition period. The County Executive shall include in the biennial budget transmitted to Council a proposed appropriation for carrying out the purposes of this Section for each fiscal year in which his or her regular term of office will expire. In the event the Executive-elect is the incumbent County Executive, appropriations made pursuant to this section

First Reading/Referred to Committee: August 12, 2014

Committee(s) Assigned: Council Operations & Intergovernmental Relations

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