



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, NOVEMBER 26, 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 5:02 p.m.

2. ROLL CALL

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

A motion was then made by Mr. Germana, seconded by Mr. Brady and approved by unanimous vote to excuse Mr. Greenspan from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally requested a moment of silent meditation to recall the 50th anniversary of President John F. Kennedy's assassination. She also wished everyone a happy Thanksgiving holiday.

5. PUBLIC COMMENT RELATED TO AGENDA

Ms. Melissa Vacha, representing Sourcing Office/OfficeMax, addressed Council regarding issues of concern to her relating to Resolution No. R2013-0253, a

Resolution making an award on RQ27498 to OfficeMax North America, Inc. for furnishing and delivering office supplies to various County departments.

The following citizens addressed Council regarding issues of concern to them relating to Resolution No. R2013-0169, a Resolution making an award on RQ24534 to Welcome House, Inc. for sale of the County Archives Building:

- (a) Ms. Mary Oliver-Lidgey**
- (b) Ms. Helen K. Smith**
- (c) Ms. Kathleen Thomas**
- (d) Ms. Nora McNamara**
- (e) Ms. Judy Coneau-Hart**
- (f) Mr. George Hrbek**
- (g) Mr. Bill Merriman**

Mr. Mike Askren, representing Kone, Inc., addressed Council regarding issues of concern to him relating to Resolution No. R2013-0248, a Resolution making an award on RQ26522 to Schindler Elevator Corporation for elevator maintenance and repair services for various County facilities.

Mr. Kevin Hudson, representing Staples Advantage, addressed Council regarding issues of concern to him relating to Resolution No. R2013-0253, a Resolution making an award on RQ27498 to OfficeMax North America, Inc. for furnishing and delivering office supplies to various County departments.

The following citizens addressed Council regarding issues of concern to them relating to the Convention Center Hotel Project and SBE participation for all County projects:

- (a) Mr. Charles Bibb, Sr.**
- (b) Ms. Sylvia James**

6. APPROVAL OF MINUTES

- a) November 7, 2013 Committee of the Whole Meeting
- b) November 12, 2013 Committee of the Whole Meeting
- c) November 12, 2013 Regular Meeting
- d) November 14, 2013 Committee of the Whole Meeting
- e) November 19, 2013 Committee of the Whole Meeting

A motion was made by Mr. Brady, seconded by Mr. Gallagher and approved by unanimous vote to approve the minutes of the November 7, 2013; November 12, 2013; November 14, 2013 and November 19, 2013 Committee of the Whole meetings and the November 12, 2013 regular meeting.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally made the following announcements:

- (a) Stated that Item No. 13, 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. 19 on the agenda;**
- (b) Made several comments about the Giving Tree program and encouraged anyone still interested to take the last tag off the tree located in Council Chambers; and**
- (c) Thanked Councilmember Miller for his diligence and leadership during the budget process.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald had the following messages:

- (a) Recognized and thanked Councilmember Miller for his leadership during the budget process;**
- (b) Thanked Councilmember Simon and officials from the City of Euclid for hosting a Town Hall meeting; and**
- (c) Discussed the Heroin Summit held at the Cleveland Clinic recently. He said that a DVD was available from the Summit and that he would provide it to Council.**

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

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 first reading for Resolution Nos. R2013-0260, R2013-0261, R2013-0262, R2013-0263, R2013-0264, R2013-0265, R2013-0266, R2013-0267, R2013-0268 and R2013-0269.

- a) R2013-0260: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Gates Mills Land Conservancy for the conservation of ecologically significant areas along the Chagrin River Watershed and North Chagrin Reservation, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Schron

Council President Connally referred Resolution No. R2013-0260 to the Education, Environment & Sustainability Committee.

- b) R2013-0261: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the West Creek Conservancy for the conservation of ecologically significant areas along the Cuyahoga River, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Schron

Council President Connally referred Resolution No. R2013-0261 to the Education, Environment & Sustainability Committee.

- c) R2013-0262: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant areas along the Chagrin River, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Schron

Council President Connally referred Resolution No. R2013-0262 to the Education, Environment & Sustainability Committee.

- d) R2013-0263: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the West Creek Conservancy for the conservation of ecologically significant areas along the headwaters of Big Creek, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Germana

Council President Connally referred Resolution No. R2013-0263 to the Education, Environment & Sustainability Committee.

- e) R2013-0264: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant

areas along the Lower Big Creek, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Brady

Council President Connally referred Resolution No. R2013-0264 to the Education, Environment & Sustainability Committee.

- f) R2013-0265: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the West Creek Conservancy for the conservation of ecologically significant areas along the Bradley Woods Reservation, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Greenspan

Council President Connally referred Resolution No. R2013-0265 to the Education, Environment & Sustainability Committee.

- g) R2013-0266: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Cuyahoga Soil & Water Conservation District for the conservation of ecologically significant areas along the East Branch of Euclid Creek, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Simon

Council President Connally referred Resolution No. R2013-0266 to the Education, Environment & Sustainability Committee.

- h) R2013-0267: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the City of Euclid for the conservation of ecologically significant areas along the Green Creek and Euclid Creek Metropark Reservation, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Rogers and Simon

Council President Connally referred Resolution No. R2013-0267 to the Education, Environment & Sustainability Committee.

- i) R2013-0268: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of the Western Reserve Land Conservancy for the conservation of ecologically significant areas along the Dunham Tavern Museum, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Resolution No. R2013-0268 to the Education, Environment & Sustainability Committee.

- j) R2013-0269: A Resolution of support of an application for funding under the Clean Ohio Fund Green Space Conservation Program available through the Ohio Public Works Commission on behalf of LAND Studio, Inc. for the conservation of ecologically significant areas along the Irishtown Overlook, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

Council President Connally referred Resolution No. R2013-0269 to the Education, Environment & Sustainability Committee.

10. 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. R2013-0241.

- a) R2013-0241: A Resolution approving The MetroHealth System's policies and procedures to participate in one or more joint purchasing associations for the purpose of acquiring supplies, equipment and services provided through joint purchasing arrangements in order to achieve beneficial purchasing arrangements for the year 2014, in accordance with Ohio Revised Code Section 339.05; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Council President Connally on behalf of The MetroHealth System

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

On a motion by Mr. Jones with a second by Mr. Rogers, Resolution No. R2013-0241 was considered and adopted by unanimous vote.

11. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE 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 Ordinance No. O2013-0022.

- a) O2013-0022: An Ordinance establishing a Cuyahoga County Monument Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Council President Connally

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

On a motion by Mr. Jones with a second by Mr. Schron, Ordinance No. O2013-0022 was considered and adopted by unanimous vote.

12. CONSIDERATION OF A RESOLUTION 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 No. R2013-0270.

- a) R2013-0270: 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; and declaring the necessity that this Resolution become immediately effective.

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

Mr. Miller introduced a proposed amendment to Resolution No. R2013-0270 at the request of the Office of Budget & Management. Discussion ensued. A motion was then made by Mr. Miller, seconded by Mr. Gallagher and approved by unanimous vote to accept the proposed amendment.

On a motion by Mr. Miller with a second by Mr. Gallagher, Resolution No. R2013-0270 was considered and adopted by unanimous vote, as amended.

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

[Note: Item No. 13 was taken out of order and considered after Item No. 19 on the agenda.]

A motion was made by Mr. Gallagher, seconded by Mr. Germana 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 Gallagher, Conwell, Jones, Rogers, Simon, Miller, Brady, Germana and Connally. The following additional attendees were also present: County Executive Ed FitzGerald, Law Director Majeed Makhoulf, Deputy Chief Law Director Nora Hurley and Director of Public Works Bonnie Teeuwen. At 6:52 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 and to place on final passage R2013-0271.

- a) R2013-0271: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and the International Union of Operating Engineers, Local 18, representing approximately 8 employees in 2 classifications in the Department of Public Works for the period 1/1/2013 - 12/31/2015; 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/Division of Finance and Planning

On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2013-0271 was considered and adopted by unanimous vote.

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

A motion was made by Mr. Gallagher, seconded by Mr. Miller 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 first reading for Resolution Nos. R2013-0272, R2013-0273, R2013-0274, R2013-0275, R2013-0276, R2013-0277, R2013-0278, R2013-0279 and R2013-0280.

- a) R2013-0272: A Resolution declaring that public convenience and welfare requires resurfacing of Barr Road from Edgerton Road to Highland Drive in the City of Brecksville; total estimated project cost \$84,850.00; 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 Jones**

Council President Connally referred Resolution No. R2013-0272 to the Public Works, Procurement & Contracting Committee.

- b) R2013-0273: A Resolution declaring that public convenience and welfare requires resurfacing of Biddulph Road from Cleveland West Corporation Line to Pearl Road in the City of Cleveland; total estimated project cost \$750,000.00; 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 Councilmembers Brady and Jones**

Council President Connally referred Resolution No. R2013-0273 to the Public Works, Procurement & Contracting Committee.

- c) R2013-0274: A Resolution declaring that public convenience and welfare requires resurfacing of East 250th Street from Lakeland Boulevard to Lake Shore Boulevard in the City of Euclid; total estimated project cost \$2,000,000.00; 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 Councilmembers Simon and Jones**

Council President Connally referred Resolution No. R2013-0274 to the Public Works, Procurement & Contracting Committee.

- d) R2013-0275: A Resolution declaring that public convenience and welfare requires resurfacing and some streetscape of Huron Road from Prospect Avenue to Euclid Avenue in the City of Cleveland; total estimated project cost \$450,000.00; 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 Councilmembers Conwell and Jones**

Council President Connally referred Resolution No. R2013-0275 to the Public Works, Procurement & Contracting Committee.

- e) R2013-0276: A Resolution declaring that public convenience and welfare requires resurfacing of Munn Road from Rocky River Drive to Warren Road in the City of Cleveland; total estimated project cost \$550,000.00; 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 Councilmembers Miller and Jones**

Council President Connally referred Resolution No. R2013-0276 to the Public Works, Procurement & Contracting Committee.

- f) R2013-0277: A Resolution declaring that public convenience and welfare requires resurfacing of Noble Road from Euclid Avenue to 150 feet northwest of Rail Road Bridge in the City of East Cleveland; total

estimated project cost \$200,000.00; 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 Councilmembers Rogers and Jones**

Council President Connally referred Resolution No. R2013-0277 to the Public Works, Procurement & Contracting Committee.

- g) R2013-0278: A Resolution declaring that public convenience and welfare requires resurfacing of Snowville Road from Brecksville Road to Riverview Road in the City of Brecksville; total estimated project cost \$851,495.00; 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 Jones**

Council President Connally referred Resolution No. R2013-0278 to the Public Works, Procurement & Contracting Committee.

- h) R2013-0279: A Resolution declaring that public convenience and welfare requires resurfacing of West 73rd Street from Denison Avenue to Lorain Road in the City of Cleveland; total estimated project cost \$900,000.00; 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 Councilmembers Brady and Jones**

Council President Connally referred Resolution No. R2013-0279 to the Public Works, Procurement & Contracting Committee.

- i) R2013-0280: A Resolution declaring that public convenience and welfare requires resurfacing of Woodhill Road from Quincy Avenue to Kinsman

Road in the City of Cleveland; total estimated project cost \$2,800,000.00; 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 Jones**

Council President Connally referred Resolution No. R2013-0280 to the Public Works, Procurement & Contracting Committee.

- j) R2013-0281: A Resolution making an award on RQ28451 to Perk Company, Inc. in the amount not-to-exceed \$3,614,496.62 for resurfacing Belvoir Boulevard from Fairmount Boulevard to Mayfield Road in the Cities of Shaker Heights, South Euclid and University Heights; 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 the amount of \$722,899.33 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 Councilmembers Rogers, Simon and Jones**

Council President Connally referred Resolution No. R2013-0281 to the Public Works, Procurement & Contracting Committee.

- k) R2013-0282: A Resolution authorizing amendments to agreements and contracts with various providers for Workforce Investment Act In-School and Out-of-School Youth Training for the period 9/1/2011 - 6/30/2013 to extend the time period to 6/30/2014 and for additional funds; 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) No. AG1100140-01 with Cuyahoga Community College District in the amount of \$225,000.00.
 - 2) No. AG1100141-01 with Mayfield City School District in the amount of \$357,000.00.

- 3) No. AG1100142-01 with Cuyahoga Community College District in the amount of \$120,000.00.
- 4) No. CE1100660-01 with Baldwin-Wallace College in the amount of \$95,000.00.
- 5) No. CE1100662-01 with Esperanza, Incorporated in the amount of \$120,000.00.
- 6) No. CE1100663-01 with Linking Employment, Abilities & Potential in the amount of 175,000.00.
- 7) No. CE1100666-01 with Youth Opportunities Unlimited in the amount of \$430,000.00.
- 8) No. CE1100667-01 with Guidestone fka Berea Children's Home in the amount of \$460,000.00.
- 9) No. CE1100700-01 with Towards Employment, Incorporated in the amount of \$150,000.00.

Sponsor: County Executive FitzGerald/Department of Workforce Development

Council President Connally referred Resolution No. R2013-0282 to the Education, Environment & Sustainability Committee.

- l) R2013-0283: A Resolution authorizing amendments to various agreements with East Cleveland City School District for Universal Pre-Kindergarten services for the period 8/31/2012 - 7/31/2013 to extend the time period to 7/31/2014 and for additional funds; 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) No. AG1200342-01 with Prospect Elementary School in the amount not-to-exceed \$16,367.60.
 - 2) No. AG1200343-01 with Superior Elementary School in the amount not-to-exceed \$67,979.60.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmember Conwell**

Council President Connally referred Resolution No. R2013-0283 to the Education, Environment & Sustainability Committee.

m) R2013-0284: A Resolution authorizing amendments to various contracts with Guidestone for Universal Pre-Kindergarten services for the period 8/1/2012 - 7/31/2013 to extend the time period to 7/31/2014 and for additional funds; 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) No. CE1200516-01 with Family Life Child Care Center of Berea in the amount not-to-exceed \$300,407.73.
- 2) No. CE1200517-01 with Family Life Child Care Center of Brook Park in the amount not-to-exceed \$99,807.09.
- 3) No. CE1200518-01 with Family Life Child Care Center of Lakewood in the amount not-to-exceed \$124,395.65.
- 4) No. CE1200519-01 with Family Life Child Care Center of Maple Heights in the amount not-to-exceed \$185,793.28.
- 5) No. CE1200520-01 with Family Life Child Care Center of Middleburg Heights in the amount not-to-exceed \$12,019.04.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood

Council President Connally referred Resolution No. R2013-0284 to the Education, Environment & Sustainability Committee.

15. 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. R2013-0227, R2013-0243, R2013-0245, R2013-0246, R2013-0247, R2013-0248, R2013-0249, R2013-0250, R2013-0251, R2013-0252, R2013-0253, R2013-0254, R2013-0255, R2013-0256, R2013-0257, R2013-0258 and R2013-0259.

a) R2013-0227: 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 related to year-end close-out activities; and declaring the necessity that this Resolution become immediately effective.

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

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0227 was considered and adopted by unanimous vote.

- b) R2013-0243: A Resolution amending Resolution No. R2013-0200 dated 9/24/2013, which accepted the rates as determined by the Budget Commission and which authorized the necessary tax levies and certified them to the County Fiscal Officer, to change the Health & Human Services Outside Millage from 2.90 to 3.90 and to change the total Outside Millage from 14.10 to 15.10; and declaring the necessity that this Resolution become immediately effective.

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

Committee Assignment and Chair: Finance & Budgeting – Miller

On a motion by Mr. Miller with a second by Mr. Gallagher, Resolution No. R2013-0243 was considered and adopted by unanimous vote.

- c) R2013-0245: A Resolution authorizing a Cooperative Agreement among the County, City of Cleveland and Cleveland-Cuyahoga County Port Authority relating to certain cooperative arrangements in connection with development of the County's Convention Center Hotel and other cooperative activities; authorizing the conveyance of real property; authorizing and approving related matters; 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/Department of Public Works **and Councilmember Conwell**

Committee Assignment and Chair: Committee of the Whole – Connally

On a motion by Mr. Schron with a second by Mr. Miller, Resolution No. R2013-0245 was considered and adopted by unanimous vote.

- d) R2013-0246: A Resolution making an award on RQ23733 to Michael Baker Jr., Inc. in the amount not-to-exceed \$685,895.00 for design engineering services for the Towpath Trail - Stage 4 from Tremont/Literary Trailhead to Canal Basin Park in Cuyahoga County for the period 12/2/2013 - 12/31/2015; 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 Works/
Division of County Engineer and Councilmembers Conwell, Germana and Jones

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

On a motion by Mr. Germana with a second by Mr. Jones, Resolution No. R2013-0246 was considered and adopted by unanimous vote.

- e) R2013-0247: A Resolution making an award on RQ28696 to The Safety Company LLC dba MTech Company in the amount not-to-exceed \$1,650,000.00 for sewer inspection equipment, parts, supplies and services for the period 10/1/2013 - 9/30/2018; 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 Works/
Division of County Engineer **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. R2013-0247 was considered and adopted by unanimous vote.

- f) R2013-0248: A Resolution making an award on RQ26522 to Schindler Elevator Corporation in the amount not-to-exceed \$1,900,000.00 for elevator maintenance and repair services for various County facilities for the period 12/1/2013 - 11/30/2016; 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 Public Works

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

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0248 was considered and adopted by majority vote with Councilmember Germana casting the only dissenting vote.

- g) R2013-0249: A Resolution authorizing an amendment to a revenue generating Memorandum of Agreement with City of Mayfield Heights for maintenance and repair of sewerage systems located in County Sewer District No. 3 to change the scope of services, effective 11/12/2013; 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/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 Mr. Schron, Resolution No. R2013-0249 was considered and adopted by unanimous vote.

- h) R2013-0250: A Resolution authorizing a revenue generating Utility Agreement with City of Beachwood for maintenance and repair of storm sewers, sanitary sewers and waterlines located in County Sewer District Nos. 3 and 5; 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/Department of Public Works/
Division of County Engineer and Councilmember Simon

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

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2013-0250 was considered and adopted by unanimous vote.

- i) R2013-0251: A Resolution authorizing a cooperative agreement with Olmsted Township in the amount of \$5,000,000.00 for preventative and routine maintenance of 22 miles of County roads and various structures for the period 10/22/2013 - 12/31/2023; 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/Department of Public Works/
Division of County Engineer and Councilmembers Gallagher, Miller and Jones

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

On a motion by Mr. Jones with a second by Mr. Gallagher, Resolution No. R2013-0251 was considered and adopted by unanimous vote.

- j) R2013-0252: A Resolution making a revenue generating award on RQ24534 to Olmsted Township Board of Trustees in the amount of \$210,000.00 for the lease with option to purchase Fitch Road Yard, located at 7924 Fitch Road, Olmsted Township; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transaction; and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Works and Councilmembers Gallagher, Jones and Miller

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

On a motion by Mr. Jones with a second by Mr. Gallagher, Resolution No. R2013-0252 was considered and adopted by unanimous vote.

- k) R2013-0253: A Resolution making an award on RQ27498 to OfficeMax North America, Inc. in the amount not-to-exceed \$2,300,000.00 for furnishing and delivering office supplies to various County departments for the period 12/1/2013 - 11/30/2015; 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/Fiscal Officer/Office of Procurement & Diversity

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

On a motion by Mr. Jones with a second by Mr. Rogers, Resolution No. R2013-0253 was considered and adopted by unanimous vote.

- l) R2013-0254: A Resolution authorizing an amendment to Contract No. CE1200211-01 with United Way of Greater Cleveland for emergency food purchase and distribution to Cuyahoga County hunger centers and food pantries serving residents in need for the period 4/1/2012 - 12/31/2013 to extend the time period to 12/31/2014 and for additional funds in the amount not-to-exceed \$1,095,450.00; 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/Department of Health and Human Services/Cuyahoga Job and Family Services **and Councilmembers Gallagher, Schron, Conwell, Jones, Rogers, Simon, Miller, Brady, Germana and Connally**

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

On a motion by Mr. Brady with a second by Mr. Germana, Resolution No. R2013-0254 was considered and adopted by unanimous vote.

- m) R2013-0255: A Resolution authorizing amendments to an agreement and contracts with various providers for Universal Pre-Kindergarten services to extend the time period to 7/31/2014 and for additional funds; 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) for the period 8/27/2012 - 7/31/2013:

- i) No. AG1200027-01 with Brooklyn City School District in the amount of \$59,473.24.

- 2) for the period 8/1/2012 - 7/31/2013:

- i) No. CE1200536-01 with Achievement Centers for Children in the amount of \$36,712.76.

- ii) No. CE1200537-01 with Ganon Gil Preschool of the Temple Tifereth Israel, Inc. in the amount of \$62,350.41.
- iii) No. CE1200538-01 with Hanna Perkins School in the amount of \$80,057.57.
- iv) No. CE1200532-01 with Cassandra Rene Thompson in the amount of \$31,758.15.
- v) No. CE1200533-01 with Ericka L. Elmore in the amount of \$36,950.00.
- vi) No. CE1200534-01 with Positive Beginnings Childcare & Preschool in the amount of \$19,068.53.
- vii) No. CE1200535-01 with Yolanda Casas-Knight in the amount of \$47,741.39.
- viii) No. CE1200529-01 with Catholic Charities Community Services Corporation – Riverside Head Start in the amount of \$35,562.60.
- ix) No. CE1200530-01 with Catholic Charities Community Services Corporation – St. Martin de Porres Head Start in the amount of \$35,632.60.
- x) No. CE1200531-01 with Catholic Charities Community Services Corporation – St. Philip Neri Head Start in the amount of \$167,562.18.
- xi) No. CE1200525-01 with Center for Families and Children – Bingham Early Learning Center in the amount of \$136,012.82.
- xii) No. CE1200526-01 with Center for Families and Children – Mather Early Learning Center in the amount of \$98,016.32.
- xiii) No. CE1200527-01 with Center for Families and Children – McMillan Early Learning Center in the amount of \$252,318.54.
- xiv) No. CE1200528-01 with Center for Families and Children – Wade Early Learning Center in the amount of \$180,148.84.
- xv) No. CE1200521-01 with Early Childhood Enrichment Center, Inc. in the amount of \$237,786.33.
- xvi) No. CE1200523-01 with Kiddie City Child Care Community, Inc. in the amount of \$217,916.85.
- xvii) No. CE1200524-01 with Parma Pre-School, Inc. in the amount of \$164,535.03.
- xviii) No. CE1200512-01 with The Cleveland Music School Settlement in the amount of \$48,566.15.
- xix) No. CE1200513-01 with The East End Neighborhood House Association in the amount of \$100,626.96.
- xx) No. CE1200514-01 with The Merrick House in the amount of \$81,803.72.

- xxi) No. CE1200515-01 with The Young Women’s Christian Association of Greater Cleveland, Ohio in the amount of \$163,191.34.
- xxii) No. CE1200509-01 with West Side Ecumenical Ministry – Archwood Head Start in the amount of \$100,904.92.
- xxiii) No. CE1200510-01 with West Side Ecumenical Ministry – Gilbert Head Start in the amount of \$3,781.20.
- xxiv) No. CE1200511-01 with West Side Ecumenical Ministry – Youth & Family Learning Center in the amount of \$103,937.31.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Early Childhood **and Councilmember Conwell**

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

On a motion by Ms. Simon with a second by Mr. Brady, Resolution No. R2013-0255 was considered and adopted by majority vote with Councilmember Rogers recusing himself from the vote.

- n) R2013-0256: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to City of Bedford Heights on behalf of Southeast Council of Governments in the amount not-to-exceed \$1,160,000.00 for Public Safety Answering Point consolidation support for the period 11/1/2013 - 12/31/2014; authorizing the County Executive to execute the agreement 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/Office of Emergency Management on behalf of 9-1-1 Consolidation Shared Services Fund Review Committee and Councilmembers Gallagher, **Conwell and Jones**

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

On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2013-0256 was considered and adopted by unanimous vote.

- o) R2013-0257: A Resolution authorizing an agreement with City of Brecksville in the amount of \$10.00 for lease of radio tower space, located at 4450 Oakes Road, Brecksville, for the period 7/1/2013 -

6/30/2023; 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/Department of Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System Section

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

On a motion by Mr. Gallagher with a second by Mr. Germana, Resolution No. R2013-0257 was considered and adopted by unanimous vote.

p) R2013-0258: A Resolution making awards on RQ27261 to various providers in the total amount not-to-exceed \$1,015,000.00 for Diagnostic Clinic psychologist and psychometrist services for the period 1/1/2014 - 12/31/2015; authorizing the County Executive to execute the master contract and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) Randall S. Baenen in the amount of \$21,000.00.
- 2) Michael J. Biscaro in the amount of \$3,000.00.
- 3) Thomas M. Evans in the amount of \$18,000.00.
- 4) Lynn A. Luna Jones in the amount of \$30,000.00.
- 5) Amy Justice, Ph.D., Inc. in the amount of \$80,000.00.
- 6) John Joseph Konieczny in the amount of \$25,000.00.
- 7) Kathryn M. Kozlowski in the amount of \$80,000.00.
- 8) Robert R. Kurtz in the amount of \$50,000.00.
- 9) Steven M. Neuhaus, Ph.D. in the amount of \$24,000.00.
- 10) Terry B. Pineseault in the amount of \$50,000.00.
- 11) Douglas E. Waltman, Ph.D. in the amount of \$20,000.00.
- 12) Arcangela S. Wood in the amount of \$30,000.00.
- 13) Bethany A. Young-Lundquist in the amount of \$40,000.00.
- 14) Kathryn R. Ziemnik in the amount of \$36,500.00.

Sponsors: County Executive FitzGerald on behalf of Cuyahoga County Court of Common Pleas, Juvenile Division

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

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0258 was considered and adopted by unanimous vote.

- q) R2013-0259: A Resolution authorizing a contract with Oriana House, Inc. in the amount not-to-exceed \$1,065,600.00 for day programming services in connection with the FY2014 Ohio Department of Rehabilitation and Correction Community Corrections Act Probation Improvement and Incentive Grant Program for the period 10/1/2013 - 6/30/2015; authorizing the County Executive to execute the contract 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 Court of Common Pleas/Corrections Planning Board **and Councilmembers Conwell and Jones**

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

On a motion by Mr. Gallagher with a second by Ms. Conwell, Resolution No. R2013-0259 was considered and adopted by majority vote with Councilmember Connally recusing herself from the vote.

16. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- a) 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 not-to-exceed \$24.00 for a period up to 24 months 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.

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

Committee Assignment and Chair: Committee of the Whole – Connally

On a motion by Ms. Conwell with a second by Mr. Rogers, Resolution No. R2013-0169 was considered and adopted by majority roll-call vote with Councilmember Schron casting the only dissenting vote.

17. MISCELLANEOUS COMMITTEE REPORTS

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, December 4, 2013 at 10:00 a.m.

Mr. Rogers reported that the Education, Environment & Sustainability Committee will meet on Wednesday, December 4, 2013 at 12:00 p.m.

18. MISCELLANEOUS BUSINESS

There was no miscellaneous business discussed.

19. PUBLIC COMMENT UNRELATED TO AGENDA

[Note: See Item No. 5 for all public comment.]

[Note: Item No. 13 was taken out of order and considered after Item No. 19 on the agenda.]

20. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Council President Connally at 6:55 p.m., without objection.