



**AGENDA**  
**CUYAHOGA COUNTY COUNCIL REGULAR MEETING**  
**TUESDAY, AUGUST 12, 2014**  
**CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS**  
**COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR**  
**5:00 PM**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. SILENT MEDITATION**
- 5. PUBLIC COMMENT RELATED TO AGENDA**
- 6. APPROVAL OF MINUTES**
  - a) July 17, 2014 Committee of the Whole Meeting
  - b) July 17, 2014 Special Meeting
  - c) July 21, 2014 Committee of the Whole Meeting
  - d) July 22, 2014 Committee of the Whole Meeting
  - e) July 22, 2014 Regular Meeting
- 7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**
- 8. MESSAGES FROM THE COUNTY EXECUTIVE**
- 9. LEGISLATION INTRODUCED BY COUNCIL**
  - a) **CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR THIRD READING ADOPTION**

- 1) R2014-0160: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.01 and Article III, Section 3.03 of the Charter of Cuyahoga County modifying the residency requirements for the offices of County Executive and County Council; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Miller, Conwell, Germana and Gallagher

- 2) R2014-0161: 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 for removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan and Simon

- 3) R2014-0162: 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 accelerating the timeline for the appointment process and 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 Miller, Conwell, Germana and Connally

- 4) R2014-0163: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment enacting Article \_\_ 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, Miller and Germana

- 5) R2014-0165: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article XI, Section 11.01 of the Charter of Cuyahoga County changing the composition of the County Audit Committee to ensure

independence of judgment of all members; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Greenspan, Connally and Miller

- 6) R2014-0166: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.04 of the Charter of Cuyahoga County to provide for the holding of special elections to fill vacancies in the office of the County Executive; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Schron

**b) CONSIDERATION OF ORDINANCES OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE**

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

Sponsor: Councilmember Brady

- 2) O2014-0023: An Ordinance amending Chapter 202 of the Cuyahoga County Code by adding Section 202.18 to establish a Department of Sustainability and to provide for the powers and duties of the Director of Sustainability.

Sponsors: Councilmember Simon and Miller

- 3) O2014-0024: An Ordinance setting the fee structure for Cuyahoga County Animal Shelter Dog Adoptions, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Councilmember Simon

**10. LEGISLATION INTRODUCED BY EXECUTIVE**

**a) CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES**

- 1) R2014-0187: A Resolution approving a proposed settlement and Consent Judgment in connection with *Lympany, et al. v. Cuyahoga County et al.*, U.S.D.C. Case No. 1:12cv2318;

authorizing the Law Director and/or his designee to execute any supporting documentation; authorizing the appropriation of funds for payment of settlement amounts set forth herein; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald

- 2) R2014-0188: A Resolution amending the 2014/2015 Biennial Operating Budget for 2014 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

- 3) R2014-0189: A Resolution proclaiming the month of August 2014 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

- 4) R2014-0190: A Resolution approving a Collective Bargaining Agreement between Cuyahoga County and American Federation of State, County and Municipal Employees, Ohio Council 8, Local 1746, AFL-CIO, representing approximately 1,158 employees in various classifications in the Departments of Health and Human Services and Public Works for the period 7/1/2014 - 6/30/2017; 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, Health and Human Services and Public Works

**b) CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE**

- 1) R2014-0191: A Resolution making an award on RQ30137 to Bray Whaler International in the amount not-to-exceed \$308,000.00 to arrange for the purchase, delivery and installation of certain furnishings, fixtures, operating supplies and equipment (“FF&E”) for use in the operation of the Hotel; authorizing Bray Whaler International to act as the County’s agent to purchase FF&E in the amount not-to-exceed \$25,000,000.00 for use in the operation of the Hotel; authorizing the County Executive to take all necessary actions and to execute all documents necessary to consummate the contemplated transactions; 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

- 2) R2014-0192: A Resolution amending the boundaries of County Sewer District No. 17 to add the remaining municipal boundaries of the City of Cleveland Heights, in accordance with Ohio Revised Code Sections 6117.01 and 6117.03; and declaring the necessity that this Resolution become immediately effective.

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

- 3) R2014-0193: A Resolution fixing the 2015 sewer maintenance and/or sewerage treatment rates for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

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

- 4) R2014-0194: A Resolution approving and confirming the 2015 sewer maintenance and/or sewerage treatment assessments for County Sewer District Nos. 1, 1A, 2, 3, 5, 8, 9, 13, 14, 18, 20, 21, 22 and 24, in accordance with Ohio Revised Code

Section 6117.02; and declaring the necessity that this Resolution become immediately effective.

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

- 5) R2014-0195: A Resolution declaring that public convenience and welfare requires replacement of Lewis Road Culvert No. 13 in Olmsted Township; total estimated project cost \$582,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and declaring the necessity that this Resolution become immediately effective.

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

- 6) R2014-0196: A Resolution authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-5012 for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township; 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:

- i) Parcel No(s): 2-WD  
Owner(s): HPCP I, LLC, an Ohio limited liability company  
Approved Appraisal (Fair Market Value Estimate): \$850,500.00
- ii) Parcel No(s): 9-WD & T  
Owner(s): G. & D. Moyse  
Approved Appraisal (Fair Market Value Estimate): \$3,500.00
- iii) Parcel No(s): 12-S & T  
Owner(s): Pearl Road Mini Storage, Inc. aka Pearl Plaza Mini Storage, Inc., an Ohio Corporation  
Approved Appraisal (Fair Market Value Estimate): \$5,500.00

- iv) Parcel No(s): 22-T  
Owner(s): R.T. Gilchrist  
Approved Appraisal (Fair Market Value Estimate):  
\$350.00
  
- v) Parcel No(s): 23-T  
Owner(s): T.J.A. & J.Q. Cooley  
Approved Appraisal (Fair Market Value Estimate):  
\$450.00
  
- vi) Parcel No(s): 26-WD, S & T  
Owner(s): G.E., D. & G. Moyse  
Approved Appraisal (Fair Market Value Estimate):  
\$2,350.00
  
- vii) Parcel No(s): 29-S & T  
Owner(s): G.J. Moyse  
Approved Appraisal (Fair Market Value Estimate):  
\$700.00
  
- viii) Parcel No(s): 31-S, S1 & T  
Owner(s): TC Pinnacle Properties, Ltd., an Ohio  
limited liability company  
Approved Appraisal (Fair Market Value Estimate):  
\$1,450.00
  
- ix) Parcel No(s): 32-S & T  
Owner(s): Generations Property Management,  
Ltd., an Ohio limited liability company  
Approved Appraisal (Fair Market Value Estimate):  
\$750.00
  
- x) Parcel No(s): 41-WD, S & T  
Owner(s): P.W. Oberc  
Approved Appraisal (Fair Market Value Estimate):  
\$400.00
  
- xi) Parcel No(s): 54-S & T  
Owner(s): E.C. & R.L. Siwek  
Approved Appraisal (Fair Market Value Estimate):  
\$450.00

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

- 7) R2014-0197: A Resolution authorizing an amendment to Contract No. CE0800631-01 with Michael Baker Jr., Inc. for consultant engineering services for construction of Stage 3 of the Towpath Trail Extension from Steelyard Commons to Tremont Trailhead for additional funds in the amount not-to-exceed \$2,044,567.00; 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.

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

- 8) R2014-0198: A Resolution authorizing an amendment to Contract No. CE1100721-01 with American Bridge Company for rehabilitation of Columbus Road Lift Bridge over the Cuyahoga River in the City of Cleveland for additional funds in the amount not-to-exceed \$714,577.66; authorizing the County Executive to execute the amendment and all other documents consistent with 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 \$71,457.77 to fund said amendment; and declaring the necessity that this Resolution become immediately effective.

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

- 9) R2014-0199: A Resolution amending Resolution No. R2013-0201 dated 9/24/2013, which authorized an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, for the sale of tax lien certificates by removing the amount not-to-exceed \$25,000,000.00; authorizing the County Executive to execute all documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

- 10) R2014-0200: A Resolution establishing a list of certified providers for occupational skills training services for the Individual Training Account System for the period 7/1/2014 -



6/30/2016; 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:

- i) Academy of Court Reporting, Inc.
- ii) Ace Tutors
- iii) Allstate Hairstyling and Barber College
- iv) American Red Cross, Greater Cleveland Chapter
- v) Ashari's Healthcare, LLC
- vi) Ashland University
- vii) Associated Builders & Contractors, Inc.,  
Northern Ohio Chapter
- viii) ATS Institute of Technology
- ix) Auburn Career Center
- x) Baldwin Wallace University
- xi) Blossom 24 Hour We Care Center, Inc.
- xii) Brentley Insititute Inc., The
- xiii) Brown Aveda Institute
- xiv) Brown Mackie College – Akron
- xv) Bryant & Stratton College
- xvi) Case Western Reserve University
- xvii) Catholic Charities Community Services  
Corporation
- xviii) Chancellor University
- xix) Cleveland Industrial Training Center, Inc.
- xx) Cleveland Institute of Dental - Medical  
Assistants, Inc.
- xxi) Cleveland State University
- xxii) Compassions Training and Awareness Center  
Inc.
- xxiii) Cuyahoga Community College District
- xxiv) Cuyahoga Valley Career Center
- xxv) Great Lakes Truck Driving School, Inc.
- xxvi) Hamrick School
- xxvii) Hondros College
- xxviii) Inner State Beauty School
- xxix) Kent State University
- xxx) Lake County Community College District
- xxxi) Lakewood College
- xxxii) Lorain County Community College District
- xxxiii) Lorain County Joint Vocational School
- xxxiv) Med-Cert, Inc.
- xxxv) Miami-Jacobs Career College
- xxxvi) National College

- xxxvii) New Bridge Cleveland Center for Arts & Technology
- xxxviii) New Horizons Computer Learning Centers
- xxxix) Notre Dame College, The
- xl) OhioGuidestone
- xli) Ohio Technical College, Inc.
- xlII) Phoenix Healthcare Institute, LLC
- xlIII) Polaris Career Center
- xlIV) Remington College
- xlV) Root-InfoTech dba American Logistics Group, Inc.
- xlVI) South University of Ohio LLC
- xlVII) University of Akron, The
- xlVIII) Ursuline College
- xlIX) Vatterott Educational Centers, Inc. dba Vatterott College
- I) Vocational Guidance Services
- II) Willoughby-Eastlake School of Practical Nursing

Sponsors: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland, as designated Local Workforce Investment Area No. 3

- 11) R2014-0201: A Resolution authorizing amendments to various agreements with Cleveland Municipal School District for Universal Pre-Kindergarten services for the Invest in Children Program for the period 8/22/2012 - 7/31/2014 to extend the time period to 7/31/2015, to change the terms, effective 8/1/2014, 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:

- i) No. AG1200340-01 with Marion-Sterling Elementary School in the amount not-to-exceed \$48,365.32.
- ii) No. AG1200341-01 with Tremont Montessori School in the amount not-to-exceed \$91,211.33.

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

- 12) R2014-0202: A Resolution authorizing an agreement with Cleveland Municipal School District – Franklin D. Roosevelt Elementary School in the amount not-to-exceed \$35,884.80 for Universal Pre-Kindergarten services for the Invest in Children Program for the period 8/1/2014 - 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.

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

- 13) R2014-0203: A Resolution authorizing an amendment to Master Contract No. CE1300268-01 for residential treatment services for the period 2/1/2013 - 1/31/2015 to change the total amount not-to-exceed from \$3,850,000.00 to \$6,950,000.00, to authorize funding decreases and/or increases with various previously approved providers and to terminate Contract No. CE1300268-05 with Catholic Charities Corporation dba Parmadale, effective 3/1/2014; 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 Cuyahoga County Court of Common Pleas/Juvenile Division

**c) COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

- 1) R2014-0176: A Resolution making an award on RQ27440 to AT&T Corp. in the amount not-to-exceed \$4,300,000.00 for Voice over Internet Protocol provider services for the period 7/1/2014 - 12/31/2018; 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.

Sponsor: County Executive FitzGerald/Department of Information Technology

Committee Assignment and Chair: Finance & Budgeting – Miller

- 2) R2014-0177: A Resolution authorizing a revenue generating agreement with City of Cleveland in the amount not-to-exceed \$875,000.00 for operation of the Family Justice Center for the period 6/1/2014 - 5/31/2019 in connection with a lease for space located at 75 Erieview Plaza, Cleveland; 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 Safety and Justice Services/Division of Witness/Victim and Councilmember Miller

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

- 3) R2014-0178: A Resolution authorizing amendments to contracts with various providers for various services and time periods to extend the time periods to 6/30/2015 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:

- i) No. CE1000723-01 with Applewood Centers Inc. for Multi-Systemic Therapy and Multi-Systemic Therapy/Problem Sexual Behavior Programs for the period 7/1/2010 - 6/30/2014 in the amount not-to-exceed \$432,984.31.
- ii) No. CE1100151-02 with OhioGuidestone for Community-based Treatment Center Management Services for the period 1/1/2011 - 6/30/2014 in the amount not-to-exceed \$1,153,828.80.

Sponsors: County Executive FitzGerald on behalf of Court of Common Pleas/Juvenile Division and Councilmember Germana

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

**d) CONSIDERATION OF RESOLUTIONS FOR THIRD READING ADOPTION**

- 1) R2014-0141: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to add Article \_\_\_ to the Cuyahoga County Charter to provide that the right to vote is a fundamental right in the County and authorize the County to take action to protect and promote the right to vote, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald and Councilmembers Simon and Hairston

- 2) R2014-0175: A Resolution making an award on RQ28400 to Pro-Tech Systems Group, Inc. in the amount not-to-exceed \$1,000,000.00 for maintenance, upgrades and support services for the Supervisory Control and Data Acquisition System for the period 8/1/2014 - 7/31/2019; 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/Division of County Engineer

**e) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION**

- 1) 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

Committee Assignment and Chair: Committee of the Whole – Connally

**f) CONSIDERATION OF AN ORDINANCE FOR FIRST READING AND REFERRAL TO COMMITTEE**

- 1) O2014-0025: An Ordinance enacting Chapter 718 of the Cuyahoga County Code to enact the Cuyahoga County Financial Transaction Modernization Act governing the use of financial transaction devices by County entities for payment of County expenses, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Law

**g) CONSIDERATION OF ORDINANCES FOR THIRD READING ADOPTION**

- 1) O2014-0019: An Ordinance enacting Chapter 716 of the Cuyahoga County Code to establish procedures for setting the fee structure for Sheriff's Department background check services, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/County Sheriff and Councilmember Germana

- 2) O2014-0020: An Ordinance enacting Chapter 717 of the Cuyahoga County Code to authorize extension of the Capital Improvement Bed Tax and to authorize the use of said proceeds in accordance with agreement with the Mayor of the City of Cleveland and Positively Cleveland as approved by a majority of local mayors, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Fiscal Officer and Councilmember Brady

**11. MISCELLANEOUS COMMITTEE REPORTS**

**12. MISCELLANEOUS BUSINESS**

**13. PUBLIC COMMENT UNRELATED TO AGENDA**

**14. ADJOURNMENT**

NEXT MEETINGS

COMMITTEE OF THE WHOLE MEETING: TUESDAY, AUGUST 26, 2014  
3:00 PM / COUNCIL CHAMBERS

REGULAR MEETING: TUESDAY, AUGUST 26, 2014  
5:00 PM / COUNCIL CHAMBERS

*\*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 5<sup>th</sup> floor parking level of the garage. Please see the Clerk to obtain a complimentary parking pass.*