



AGENDA
CUYAHOGA COUNTY PUBLIC SAFETY & JUSTICE AFFAIRS COMMITTEE MEETING
TUESDAY, JUNE 18, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE JUNE 4, 2013 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) O2013-0015: An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance become immediately effective.
- 6. DISCUSSION**
 - a) Update regarding PSAP Consolidation
- 7. MISCELLANEOUS BUSINESS**
- 8. OTHER PUBLIC COMMENT**
- 9. 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 PUBLIC SAFETY & JUSTICE AFFAIRS COMMITTEE MEETING
TUESDAY, JUNE 4, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
1:00 PM**

1. CALL TO ORDER

Chairman Gallagher called the meeting to order at 1:00 p.m.

2. ROLL CALL

Mr. Gallagher asked Assistant Deputy Clerk Carter to call the roll. Committee members Gallagher, Greenspan, Germana, Conwell and Rogers were in attendance and a quorum was determined. Councilmember Miller was also in attendance.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE MAY 28, 2013 MEETING

A motion was made by Ms. Conwell, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the May 28, 2013 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2013-0110: A Resolution making an award on RQ26232 to Coastal Quality Construction, Inc. in the amount not-to-exceed \$874,700.00 for the Juvenile Justice Center Public Defenders Relocation Project; 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.

Ms. Deborah Shaw, Space Planner for the Department of Public Works, addressed the Committee regarding Resolution No. R2013-0110. Discussion ensued.

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

On a motion by Mr. Greenspan with a second by Mr. Gallagher, Resolution No. R2013-0110 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- b) R2013-0117: A Resolution authorizing a contract with Sadler-NeCamp Financial Services, Inc. dba PROWARE in the amount of \$6,136,749.00 for maintenance and support services for the Criminal and Civil Justice Information System for the period 4/1/2013 - 1/31/2016; authorizing the County Executive to execute a contract and all other documents consistent with this Resolution, and declaring the necessity that this Resolution become immediately effective.

Mr. Gallagher addressed the Committee regarding Resolution No. R2013-0117.

On a motion by Mr. Gallagher with a second by Mr. Greenspan, Resolution No. R2013-0117 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

6. DISCUSSION

- a) Update regarding Fire Life Safety Program

Mr. Bobby Ina, Managing Director of Metropolis Consulting, LLC, and Mr. John Sickle, Owner of Duct Fabricating Inc., addressed the Committee regarding the inspection of the Cuyahoga County Animal Shelter and the Fire Life Safety program. Discussion ensued.

Committee members and Councilmembers asked questions of Mr. Ina and Mr. Sickle pertaining to the items, which they answered accordingly.

Mr. James Boyle, Special Assistant to County Executive FitzGerald; Ms. Bonnie Teeuwen, Director of the Department of Public Works; and Mr. Andrew Conti, Facilities Maintenance Administrator for the Department of Public Works, addressed the

**Committee regarding the age of and the plan for inspecting County owned buildings.
Discussion ensued.**

Committee members and Councilmembers asked questions of Mr. Boyle, Ms. Teeuwen and Mr. Conti pertaining to the items, which they answered accordingly.

7. MISCELLANEOUS BUSINESS

Mr. Greenspan requested that an update be provided to the Committee regarding the Emergency Badge System at the next Public Safety & Justice Affairs Committee meeting.

8. OTHER PUBLIC COMMENT

No public comments were given.

9. ADJOURNMENT

With no further business to discuss, Chairman Gallagher adjourned the meeting at 1:54 p.m., without objection.

County Council of Cuyahoga County, Ohio

Ordinance No. O2013-0015

Sponsored by: County Executive FitzGerald/County Sheriff and Director of Law	An Ordinance establishing the Sheriff's Department, and divisions and sections within the Department; and declaring the necessity that this Ordinance be immediately effective.
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WHEREAS, Article V, Section 5.08 of the Cuyahoga County Charter provides that "all powers and duties now or hereafter vested in or imposed upon county sheriffs by general law shall be carried out by the appointed Sheriff;" and,

WHEREAS, O.R.C. § 311.07(A) provides that the general powers and duties of a county sheriff include, among others, the duty to preserve the public peace, and to execute warrants, writs and other process directed to the sheriff by any lawful and proper authorities of this state and of other states; and,

WHEREAS, O.R.C. § 341.01 provides that the county sheriff shall have charge of the county jail and all persons confined therein; and,

WHEREAS, Article III, Section 3.09(2) of the Cuyahoga County Charter provides Council with the power "to establish departments, and divisions and sections within departments, under the supervision of the County Executive, and such boards, agencies, commissions, and authorities, in addition to or as part of those provided for in this Charter, as the Council determines to be necessary for the efficient administration of the County;" 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 Sheriff.

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

SECTION 1. Section 202.07 of the Cuyahoga County Code is hereby enacted as follows:

Section 202.07: Sheriff's Department

A. The Sheriff's Department is hereby established, and it shall be its own appointing authority pursuant to the relevant provisions of the Cuyahoga County Charter.

B. The Sheriff's Department shall be under the direction of the County Sheriff. The Sheriff's Department and its employees shall aid and assist the County Sheriff in carrying out the powers, duties, and responsibilities that are assigned to the Sheriff by the general law, the County Charter, and by County law. With the approval of the County Executive, the Sheriff shall employ and supervise such number of deputies, assistants, and employees as are reasonably necessary to carry out the Department's functions. All employees assigned to the County Sheriff are hereby assigned to the Sheriff's Department. Nothing in the Cuyahoga County Code is intended to limit the ability of the County Executive and the County Sheriff to abolish positions for the purpose of enhancing the efficiency of operations or for any other reason permitted by general law or County law.

C. The Sheriff's Department shall include, but is not limited to, the following divisions:

1. Civil Division whose responsibility shall be to carry out court orders.
2. Corrections Division whose responsibility shall be the administration and operation of the Cuyahoga County Corrections Center;
3. Law Enforcement Division whose responsibility shall be the law enforcement duties of county sheriffs.
4. Protective Services Division whose responsibility shall be the provision of security services for county offices and buildings where the County Sheriff determines that such services should be provided using County personnel. Protective Services Officers shall be considered County security personnel who are not law enforcement officers. The Sheriff shall determine the training necessary for the certification of Protective Services Officers. Such training shall, at a minimum, include satisfactory completion of programs that have been approved by the Ohio Peace Officer Training Commission designed to qualify persons for positions as security guards.

D. Authority to Carry Weapons:

1. Employees of the Sheriff's Department who are authorized to carry weapons pursuant to general law shall comply with all state and federal laws governing certification and re-certification necessary to carry weapons.
2. Where general law does not govern the certification and re-certification of employees to carry weapons, the following provisions shall apply:

- a. The Sheriff may issue firearms, other intermediate weapons (e.g., pepper spray), and/or hard controls (e.g., handcuffs) to any employees in the Sheriff’s Department who are specifically pre-authorized by the Sheriff and are designated in the Department’s written policies and procedures. The Sheriff shall have the power to commission employees in the Sheriff’s Department to carry firearms if the employee has successfully completed the firearms training and requalification programs that are required by law for Deputy Sheriffs. The Sheriff may permit employees to carry intermediate weapons and hard controls if the employee has successfully completed required training as determined by the Sheriff.
3. The Sheriff shall ensure that the Department’s continuum of force policy applies to all employees who carry weapons. All employees who carry weapons shall properly secure firearms or other weapons, while on duty and off as required by the Sheriff.

SECTION 2. It is necessary that this Ordinance become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Ordinance 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 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 actions 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: June 11, 2013
Committee(s) Assigned: Public Safety & Justice Affairs

Journal _____
_____, 20__