



MINUTES

CUYAHOGA COUNTY COMMITTEE OF THE WHOLE MEETING
WEDNESDAY, JULY 24, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
9:00 AM

1. CALL TO ORDER

Due to the nature of the items referred to Committee, Council President Connally requested that Councilmember Greenspan, Chair of the Council Operations and Intergovernmental Relations Committee, preside over the meeting. Chairman Greenspan then called the meeting to order at 9:07 a.m.

2. ROLL CALL

Chairman Greenspan asked Clerk Schmotzer to call the roll. Councilmembers Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Rogers and Greenspan were in attendance and a quorum was determined. Councilmembers Simon and Connally entered the meeting sometime after the roll call was taken.

3. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment related to the agenda.

4. DISCUSSION

- a) BC2013-215: An amendment to Contract No. CE1200373-01 with CBRE, Inc. for owner representation services for the Real Estate Portfolio Consolidation for the period 6/4/2012 - 6/3/2015 for additional funds in the amount of \$33,500.00.

Sponsor: Department of Public Works

Ms. Bonnie Teeuwen, Director of Public Works, addressed Council regarding Board of Control item No. BC2013-215. Discussion ensued. Councilmembers asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.

5. MATTERS REFERRED TO COMMITTEE

- a) R2013-0158: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(12) Powers and Duties and Article IX, Sections 9.01 through 9.05 and to add Section 9.06 renaming the Human Resource Commission, changing the appointing authority, clarifying its powers and duties and establishing an office of the Director of Human Resources; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Conwell and Miller

Councilmembers Miller and Conwell and Mr. Jim Boyle, Special Assistant to County Executive FitzGerald and Clerk of the Charter Review Commission, addressed Council regarding Resolution No. R2013-0158. Discussion ensued.

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2013-0158 was considered and approved by majority roll-call vote to be referred to the full Council agenda for second reading, with Councilmembers Miller, Germana, Schron, Conwell, Jones, Rogers, Simon and Greenspan voting in the affirmative and Councilmembers Brady and Gallagher casting dissenting votes.

- b) R2013-0159: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment to Article II, Section 2.03(2) of the Charter of Cuyahoga County relating to the appointment authority of the County Executive; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Miller

Councilmember Miller addressed Council regarding Resolution No. R2013-0159. Discussion ensued.

On a motion by Mr. Greenspan with a second by Mr. Rogers, Resolution No. R2013-0159 was considered and approved by unanimous roll-call vote to be referred to the full Council agenda for second reading.

- c) R2013-0160: A Resolution providing for the submission to the electors of the County of Cuyahoga amendments to Article IV, Section 4.01 and Article V, Section 5.06 of the Charter of Cuyahoga County allocating legal duties between the County Prosecutor and the Director of Law to clarify

the responsibilities of each office; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Simon and Miller

Councilmembers Simon and Miller; Mr. Majeed Makhoulf, Director of Law; Mr. Tim McGinty, County Prosecutor and Mr. Gary Johnson, representing the Office of the Prosecutor, addressed Council regarding Resolution No. R2013-0160. Discussion ensued.

On a motion by Mr. Greenspan with a second by Mr. Miller, Resolution No. R2013-0160 was considered and approved by unanimous roll-call vote to be referred to the full Council agenda for second reading.

- d) R2013-0161: 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 adjusting the timeline for the appointment process and the 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 Connally and Greenspan

Councilmember Greenspan addressed Council regarding Resolution No. R2013-0161. Discussion ensued.

On a motion by Mr. Greenspan with a second by Ms. Conwell, Resolution No. R2013-0161 was considered and approved by majority roll-call vote to be referred to the full Council agenda for second reading, with Councilmembers Miller, Germana, Schron, Conwell, Jones, Rogers, Simon and Greenspan voting in the affirmative and Councilmembers Brady and Gallagher casting dissenting votes.

- e) R2013-0162: 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 of removal of the Sheriff; and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Greenspan and Miller

Councilmember Miller and Mr. Boyle addressed Council regarding Resolution No. R2013-0162. Discussion ensued.

On a motion by Mr. Greenspan with a second by Mr. Schron, Resolution No. R2013-0162 was considered and approved by majority roll-call vote to be referred to the

full Council agenda for second reading, with Councilmembers Miller, Germana, Gallagher, Schron, Conwell, Jones, Rogers, Simon and Greenspan voting in the affirmative and Councilmember Brady casting the only dissenting vote.

- f) R2013-0163: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article VI, Section 6.03 of the Charter of Cuyahoga County establishing the Investment Advisory Committee in the Charter; and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Greenspan

Councilmember Greenspan addressed Council regarding Resolution No. R2013-0163. Discussion ensued. A motion was then made by Mr. Schron and seconded by Mr. Greenspan to amend Section 6.03(1) to read as follows:

Establishment and Composition. There shall be an Investment Advisory Committee which shall consist of the County Executive or his or her appointee, a member of the County Council appointed by the President of Council, the Prosecuting Attorney or his appointee, and the County Treasurer shall serve as ex-officio non-voting member if not appointed.

The motion failed by a roll-call vote of 4 yeas and 7 nays with Councilmembers Miller, Schron, Conwell and Greenspan voting in the affirmative and Councilmembers Brady, Germana, Gallagher, Jones, Rogers, Simon and Connally casting dissenting votes.

A motion was then made by Mr. Greenspan and seconded by Mr. Schron to refer Resolution No. R2013-0163 to the full Council agenda for second reading. The motion failed by a roll-call vote of 3 yeas and 8 nays with Councilmembers Schron, Conwell and Greenspan voting in the affirmative and Councilmembers Miller, Brady, Germana, Gallagher, Jones, Rogers, Simon and Connally casting dissenting votes.

- g) R2013-0164: A Resolution providing for the submission to the electors of the County of Cuyahoga an amendment adding Article XIV, Section 14.01 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 and Schron

Councilmembers Schron and Greenspan addressed Council regarding Resolution No. R2013-0164. Discussion ensued.

A short recess was taken after which Chairman Greenspan reconvened the meeting.

A motion was made by Mr. Schron, seconded by Mr. Greenspan and approved by unanimous roll-call vote to amend Section 14.01 as follows:

There shall be an Agency of Inspector General. The County Council shall establish, by ordinance, the powers and duties of the Agency, the manner of the Inspector General's appointment, and the Agency's funding to ensure its independence in carrying out its powers and duties.

On a motion by Mr. Schron with a second by Mr. Greenspan, Resolution No. R2013-0164 was considered and approved by majority roll-call vote to be referred to the full Council agenda for second reading, with Councilmembers Miller, Germana, Schron, Conwell, Jones, Rogers, Simon and Greenspan voting in the affirmative and Councilmembers Brady, Gallagher and Connally casting dissenting votes.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. PUBLIC COMMENT UNRELATED TO AGENDA

Mr. William Tarter, representing the Charter Review Commission, provided insight into the number of charter amendments recommended by the Charter Review Commission for the ballot and urged that all recommendations be considered for placement on the ballot.

8. ADJOURNMENT

With no further business to discuss, the meeting was adjourned at 12:54 p.m., without objection.