



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 10, 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 Jones, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron and Connally were in attendance and a quorum was determined. Councilmember Rogers was in attendance shortly after roll call was taken. Councilmember Conwell was absent from the meeting.

A motion was then made by Mr. Schron, seconded by Mr. Gallagher and approved by unanimous vote to excuse Ms. Conwell from the meeting.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

4. SILENT MEDITATION

Council President Connally expressed condolences and requested a moment of silent meditation be dedicated in memory of Leonard Miller, father of Councilmember Miller, who passed away recently at the age of 99-1/2. Council President Connally also requested a moment of silent meditation be dedicated in memory of Marty Skutnik, manager of Marty's Coffee Shop in the Cuyahoga County Courthouse, operated by the Bureau of Services for the Visually Impaired, who also recently passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

There was no public comment related to the agenda.

6. APPROVAL OF MINUTES

- a) August 27, 2013 Committee of the Whole Meeting
- b) August 27, 2013 Regular Meeting

A motion was made by Mr. Germana, seconded by Mr. Brady and approved by unanimous vote to approve the minutes of the August 27, 2013 Committee of the Whole and regular meetings.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

There were no announcements from the Council President.

8. MESSAGES FROM THE COUNTY EXECUTIVE

There were no announcements from the County Executive.

9. COMMITTEE REPORTS AND CONSIDERATION OF MOTIONS 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 Motion Nos. M2013-0025 and M2013-0027.

- a) M2013-0025: A Motion confirming the County Executive's appointment of David Crampton to serve on the Cuyahoga County Board of Developmental Disabilities for the term ending 1/31/2017, and declaring the necessity that this Motion become immediately effective.

Sponsors: Councilmembers Connally and Conwell

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

On a motion by Mr. Rogers with a second by Mr. Gallagher, Motion No. M2013-0025 was considered and approved by unanimous vote.

- b) M2013-0027: A Motion confirming the County Executive's reappointment of Matthew A. Charboneau to serve on the Cuyahoga Arts

and Culture Board of Trustees for the term ending 3/31/2016, and declaring the necessity that this Motion become immediately effective.

Sponsors: Councilmembers Connally and Conwell

Committee Assignment and Chair: Human Resources, Appointments & Equity – Conwell

On a motion by Mr. Schron with a second by Mr. Rogers, Motion No. M2013-0027 was considered and approved by unanimous vote.

10. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 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

Council President Connally referred Ordinance No. O2013-0022 to the Public Works, Procurement & Contracting Committee.

11. 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. R2013-0196.

- a) R2013-0196: 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

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2013-0196 by reducing the amount as set forth in Item I. by \$450,000.000, with the allocation of reductions among

personal services, other expenses and capital outlays to be determined at the discretion of the Director of the Office Budget & Management. Discussion ensued.

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2013-0196 was considered and adopted by unanimous vote, as amended.

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

- a) R2013-0197: A Resolution making an award on RQ27992 to Specialized Construction Incorporated in the amount of \$524,500.00 for crack sealing in connection with the Countywide Preventative Maintenance Program for the period 10/1/2013 - 10/31/2014; 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

Council President Connally referred Resolution No. R2013-0197 to the Public Works, Procurement & Contracting Committee.

- b) R2013-0198: A Resolution authorizing an amendment to Contract No. CE0800123-02 with DDR MDT Great Northern, LLC for lease of office space located at 5069 Great Northern Shopping Center, North Olmsted, for the Auto Title Bureau Satellite Office No. 5 for the period 1/1/2008 - 12/31/2012 to assign the interest to BRE DDR Great Northern, LLC, effective 1/1/2013, to extend the time period to 12/31/2013 and for additional funds in the amount of \$44,587.20; 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

Council President Connally referred Resolution No. R2013-0198 to the Public Works, Procurement & Contracting Committee.

- c) R2013-0199: A Resolution authorizing the issuance and sale of Taxable Economic Development Revenue Bonds, Series 2013A (Steelyard Commons Project) in an aggregate principal amount not-to-exceed \$5,000,000.00 for the purpose of providing moneys to pay costs of a "Project" within the meaning of Ohio Revised Code Chapter 165; authorizing the preparation and use of a preliminary official statement,

authorizing the preparation, execution and use of an official statement; approving and authorizing the execution of a cooperative agreement, a bond purchase agreement, a bond registrar agreement and a continuing disclosure agreement; authorizing other actions related to the issuance of the bonds; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Bond Counsel: Benesh Friedlander Coplan & Aronoff, LLP

Council President Connally referred Resolution No. R2013-0199 to the Economic Development & Planning Committee.

- d) R2013-0200: A Resolution accepting the rates as determined by the Budget Commission; authorizing the necessary tax levies and certifying them to the County Fiscal Officer; and declaring the necessity that this Resolution become immediately effective.

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

Council President Connally referred Resolution No. R2013-0200 to the Finance & Budgeting Committee.

- e) R2013-0201: A Resolution authorizing an award to Woods Cove III, LLC, as purchaser, and Lien Servicing, LLC, as servicer, in the amount not-to-exceed \$25,000,000.00 for the sale of tax lien certificates; 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.

Sponsor: County Executive FitzGerald/Fiscal Officer/County Treasurer

Council President Connally referred Resolution No. R2013-0201 to the Finance & Budgeting Committee.

- f) R2013-0202: A Resolution making an award on RQ28551 to Starting Point in the amount not-to-exceed \$593,038.00 for administration of various initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2013 - 7/31/2014; 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 Health and Human Services/Division of Community Initiatives/Office of Early Childhood

Council President Connally referred Resolution No. R2013-0202 to the Education, Environment & Sustainability Committee.

- g) R2013-0203: A Resolution making an award on RQ28332 to Starting Point in the amount not-to-exceed \$1,600,000.00 for Out-of-School Time and Transition Services for the period 9/1/2013 - 9/30/2014; 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 Health and Human Services/Division of Community Initiatives/Family and Children First Council

Council President Connally referred Resolution No. R2013-0203 to the Education, Environment & Sustainability Committee.

13. COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- a) R2013-0179: A Resolution making an award on RQ24534 to Weston Inc. in the total amount of \$3,420,000.00 for the sale of various County buildings; authorizing leases in connection with said sale; 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 projects; and declaring the necessity that this Resolution become immediately effective:
- 1) in the amount not-to-exceed \$3,023,641.80 for lease of the Marion Building, located at 1276 West Third Street, Cleveland, for a period of three years.
 - 2) in the amount not-to-exceed \$391,272.00 for lease of the Superior Auto Title Building, located at 1261 Superior Avenue, Cleveland, for a period of one year.
 - 3) in the amount not-to-exceed \$130,470.96 for lease of the Hamilton Garage, located at 1801 St. Clair Avenue, Cleveland, for a period of six months.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

Clerk Schmotzer read Resolution No. R2013-0179 into the record.

This item will move to the September 24, 2013 Council meeting agenda for third reading.

14. 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. R2013-0190, R2013-0191, R2013-0193, R2013-0194 and R2013-0195.

- a) R2013-0190: A Resolution making an award on RQ27675 to C & K Industrial Services, Inc. in the amount not-to-exceed \$1,670,690.00 for cleaning and televising sanitary sewers in various communities for the period 10/1/2013 - 9/30/2015; 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/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. Germana, Resolution No. R2013-0190 was considered and adopted by unanimous vote.

- b) R2013-0191: A Resolution authorizing an amendment to Contract No. CE1100590-01, 02, 03 with Reserve Apartments, LTD for lease of office space located at 1701 East 12th Street, Cleveland, for use by various County divisions and a department for the period 10/1/2011 - 9/30/2014 to change the scope of services, effective 10/1/2013, and for additional funds in the amount of \$220,000.03; 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

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0191 was considered and adopted by unanimous vote.

- c) R2013-0193: A Resolution making a Cuyahoga County 9-1-1 Consolidation Shared Services Fund award to Chagrin Valley Dispatch Council of Governments in the amount not-to-exceed \$330,000.00 for Public Safety Answering Point consolidation support for the period 9/1/2013 - 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.

Sponsor: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management

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

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2013-0193 was considered and adopted by unanimous vote.

- d) R2013-0194: A Resolution authorizing a Master Services Agreement with The MetroHealth System in the total amount not-to-exceed \$4,417,955.84 for various services for various time periods; 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:
- 1) in the amount not-to-exceed \$268,000.00 for toxicology services for Common Pleas Court/Adult Probation Department for the period 6/1/2011 - 12/31/2016.
 - 2) in the amount not-to-exceed \$2,430,991.84 for medical services for Common Pleas Court/Juvenile Court Division for the period 7/1/2013 - 6/30/2015.
 - 3) in the amount not-to-exceed \$443,964.00 for medical home services for the Pediatric Foster Care Program for Division of Children and Family Services for the period 8/1/2013 - 7/31/2015.

- 4) in the amount not-to-exceed \$1,275,000.00 for toxicology services for Division of Children and Family Services for the period 8/1/2011 - 7/31/2016.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and on behalf of Common Pleas Court/Adult Probation Department and Juvenile Court Division

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

A motion was made by Mr. Gallagher, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2013-0194 by changing the time period for the agreement for medical home services for the Pediatric Foster Care Program for Division of Children and Family Services from 8/1/2013 – 7/31/2015 to 10/1/2013 – 9/30/2015.

On a motion by Mr. Germana with a second by Mr. Brady, Resolution No. R2013-0194 was considered and adopted by unanimous vote, as amended.

- e) R2013-0195: A Resolution making an award on RQ28280 to Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,383,696.00 for managing the Shelter Plus Care Sponsor-based Rental Assistance Program in connection with the McKinney-Vento Homeless Assistance Act for the period 8/1/2013 - 7/31/2014; 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 Health and Human Services/Division of Community Initiatives/Office of Homeless Services

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

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2013-0195 was considered and adopted by unanimous vote.

15. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE FOR SECOND READING ~~ADOPTION UNDER SUSPENSION OF RULES~~ **AND REFERRAL TO COMMITTEE**

- a) O2013-0018: An Ordinance enacting Chapters 507 and 508 of the Cuyahoga County Code to establish the County's risk management

procedures and insurance requirements and repealing Sections 504.03(C)(2)(e), 504.04(D)(2)(e), and 504.16 in conformity therewith; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Council Executive FitzGerald/Department of Law and Councilmember Jones

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

A motion was made by Mr. Jones, seconded by Mr. Rogers and approved by unanimous vote to refer Ordinance No. O2013-0018 to the Public Works, Procurement & Contracting Committee.

16. MISCELLANEOUS COMMITTEE REPORTS

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, September 11, 2013 and Wednesday, September 18, 2013 at 11:00 a.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Tuesday, September 17, 2013 at 3:00 p.m.

Mr. Schron reported that the Economic Development & Planning Committee will meet on Wednesday, September 18, 2013 at 1:00 p.m.

Mr. Rogers reported that the Education, Environment & Sustainability Committee will meet on Wednesday, September 18, 2013 at 3:00 p.m.

17. MISCELLANEOUS BUSINESS

Mr. Brady reported that the kickoff for the Health and Human Services levy campaign will be held at the MetroHealth Medical Center on Monday, September 16, 2013 at 11:00 a.m.

Mr. Germana conveyed a personal anecdote relating to the Cuyahoga County Veterans ID Card and encouraged all veterans who are residents of Cuyahoga County to participate in the program.

Mr. Miller thanked his colleagues for their support during his father's passing.

18. PUBLIC COMMENT UNRELATED TO AGENDA

Ms. Tina Tricarichi addressed Council regarding issues of concern to her relating to the Cuyahoga County Public Library, its Board and Telling Mansion, which houses the South Euclid/Lyndhurst Branch.

Reverend Pamela M. Pickney Butts addressed Council regarding issues of concern to her relating to various agencies in Cuyahoga County government.

19. ADJOURNMENT

With no further business to discuss, the meeting was adjourned by Council President Connally at 6:11 p.m., without objection.