



## **MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, SEPTEMBER 23, 2014  
CUYAHOGA COUNTY ADMINISTRATIVE HEADQUARTERS  
COUNCIL CHAMBERS – 4<sup>TH</sup> FLOOR  
5:00 PM**

**1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 5:01 p.m.**

**2. ROLL CALL**

**Council President Connally asked Clerk Schmotzer to call the roll. Councilmembers Hairston, Greenspan, Miller, Germana, Gallagher, Schron, Conwell, Jones and Connally were in attendance and a quorum was determined. Councilmembers Brady and Simon were in attendance shortly after the roll-call was taken.**

**3. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**4. SILENT MEDITATION**

**Council President Connally requested a moment of silent meditation be dedicated to personal reflections.**

**5. PUBLIC COMMENT RELATED TO AGENDA**

**Reverend Pamela Pinkney Butts addressed Council regarding issues of concern to her relating to various agenda and non-agenda related items.**

**6. APPROVAL OF MINUTES**

- a) September 9, 2014 Committee of the Whole Meeting
- b) September 9, 2014 Regular Meeting
- c) September 16, 2014 Committee of the Whole Meeting

**A motion was made by Mr. Hairston, seconded by Ms. Conwell and approved by unanimous vote to approve the minutes of the September 9, 2014 Committee of the Whole and Regular meetings and the September 16, 2014 Committee of the Whole meeting.**

**7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT**

- a) Presentation of various Proclamations:
  - 1) recognizing the Cuyahoga County Board of Elections for excellence in election administration.

**Council President Connally deferred this item to Councilmember Greenspan, who made comments and presented the Cuyahoga County Board of Elections with a proclamation. Mr. Pat McDonald, Director for the Board of Elections, thanked Council for its recognition and introduced Board Chairwoman Inajo Davis Chappell.**

- 2) commemorating October 2014 as Cyber Security Awareness Month in Cuyahoga County.

**Council President Connally deferred this item to Mr. Jeffrey Mowry, Chief Information Officer. Mr. Mowry and Mr. Jeremy Mio, Security Manager, then addressed Council regarding the importance of cyber security awareness, the Cuyahoga County Cyber Support Initiative and the County's new cyber security web site. Council President Connally then presented Mr. Mowry with a proclamation.**

**8. MESSAGES FROM THE COUNTY EXECUTIVE**

- a) Contracts executed by County Executive (attachment)

**County Executive FitzGerald reported that on September 30, 2014 there will be a ribbon-cutting ceremony for the Crime Lab at the Medical Examiner's office.**

**9. RECEIPT OF DOCUMENT SUBMITTED TO COUNCIL**

- a) Cuyahoga County Veterans Service Commission Revised 2015 Tax Budget

**Council President Connally noted that the Cuyahoga County Veterans Service Commission had submitted its 2015 Tax Budget in accordance with the Ohio Revised Code in June and that the Council is now in receipt of a revised 2015 Tax Budget.**

10. LEGISLATION INTRODUCED BY COUNCIL

a) CONSIDERATION OF RESOLUTIONS OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) R2014-0224: A Resolution confirming the County Executive's appointment of Reverend Larry L. Macon, Sr. to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/4/2018, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0224 to the Human Resources, Appointments & Equity Committee.**

- 2) R2014-0225: A Resolution confirming the County Executive's appointment of Maureen Dee to serve on The MetroHealth System Board of Trustees for the term 9/23/2014 - 3/5/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0225 to the Human Resources, Appointments & Equity Committee.**

- 3) R2014-0226: A Resolution confirming the County Executive's appointment or reappointment of various individuals to serve on the Cleveland/Cuyahoga County Workforce Investment Board for various terms each beginning 7/1/2014, and declaring the necessity that this Resolution become immediately effective:

- i) Reappointment for the term ending 6/30/2015:

- a) Michael T. Latkovich
- b) Sari Feldman
- c) Jay Carson

- ii) Appointment for the term ending 6/30/2016:

- a) Aaron Grossman

iii) Reappointment for the term ending 6/30/2016:

a) Daniel E. Berry

iv) Reappointment for the term ending 6/30/2017:

a) Gayle Thompkins Agahi

b) Lawrence Benders

c) Joseph A. Calabrese

d) Harriet Shaw Applegate

e) Bill Kitson

f) Kim M. Shelnik

v) Appointment of mandatory partner for an undetermined term:

a) David Merriman

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0226 to the Human Resources, Appointments & Equity Committee.**

- 4) R2014-0227: A Resolution confirming the County Executive's reappointment of Sheryl King-Benford to serve on the Cuyahoga County Law Library Resources Board for the term 9/23/2014 - 12/31/2019, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell

**Council President Connally referred Resolution No. R2014-0227 to the Human Resources, Appointments & Equity Committee.**

- 5) R2014-0228: A Resolution adopting various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

**Council President Connally referred Resolution No. R2014-0228 to the Human Resources, Appointments & Equity Committee.**

- 6) R2014-0229: A Resolution amending the Rules of Council, and declaring the necessity that this Resolution become immediately effective.

Sponsor: Councilmember Miller

**Council President Connally referred Resolution No. R2014-0229 to the Council Operations & Intergovernmental Relations Committee.**

**[Clerk's note: Item No. 15.a) was taken out of order and considered after Item No. 10.a)6].]**

- b) 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. R2014-0217.**

- 1) R2014-0217: A Resolution approving and concurring with amendments made to the Northeast Ohio Areawide Coordinating Agency ("NOACA") Code of Regulations on 7/11/2014 as shown in NOACA Resolution Nos. 2014-033 and 2014-034, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Connally, Conwell and Germana

Committee Assignment and Chair: Council Operations & Intergovernmental Relations – Greenspan

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2014-0217 was considered and adopted by unanimous vote.**

- c) CONSIDERATION OF ORDINANCES OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- 1) O2014-0028: An Ordinance establishing the Cuyahoga County Archives Advisory Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Council President Connally

**Council President Connally referred Ordinance No. O2014-0028 to the Public Works, Procurement & Contracting Committee.**

- 2) O2014-0029: An Ordinance amending the Administrative Rules for the Cuyahoga County Personnel Review Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: Councilmembers Connally and Conwell on behalf of Personnel Review Commission

**Council President Connally referred Ordinance No. O2014-0029 to the Human Resources, Appointments & Equity Committee.**

- d) COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING

- 1) O2014-0021: An Ordinance amending Chapter 701 of the Cuyahoga County Code by adding Sections 701.06 and 701.07 to establish guidelines for the County's investment policy and financial reporting requirements for Cuyahoga County.

Sponsor: Councilmember Miller

Committee Assignment and Chair: Finance & Budgeting – Miller

**Clerk Schmotzer read Ordinance No. O2014-0021 into the record.**

**This item will move to the October 14, 2014 Council meeting agenda for consideration for third reading adoption.**

- e) 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. O2014-0022.**

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

Sponsors: Councilmembers Brady and Miller

Committee Assignment and Chair: Council Operations &  
Intergovernmental Relations – Greenspan

**On a motion by Mr. Schron with a second by Mr. Miller, Ordinance No. O2014-0022 was considered and adopted by unanimous vote.**

f) CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING ADOPTION

- 1) O2014-0016: An Ordinance amending Section 106.06 of the Cuyahoga County Code to establish copying costs for public records.

Sponsors: Councilmembers Miller, Conwell and Germana

**On a motion by Mr. Miller with a second by Mr. Germana, Ordinance No. O2014-0016 was considered and adopted by unanimous vote.**

11. LEGISLATION INTRODUCED BY EXECUTIVE

**In accordance with Rule 6B of the County Council Rules, a motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to add Resolution No. R2014-0237 to the agenda as an additional item under No. 11.a) for consideration for first reading adoption under suspension of rules.**

a) CONSIDERATION OF ~~A~~RESOLUTIONS 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 Nos. R2014-0230 and R2014-0237.**

- 1) R2014-0230: 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

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to amend Resolution No. R2014-0230 by changing the funding source time period from “July 1, 2014 through June 30, 2014” to “July 1, 2014 through June 30, 2015” for Items O. and P. in Section 1.

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2014-0230 was considered and adopted by unanimous vote, as amended.

[Note: In accordance with Rule 6B of the County Council Rules, the following item was added to the agenda and read into the record by the Clerk of Council.]

**R2014-0237: A Resolution approving a proposed settlement in the matter of *Nancy Kovacic, et al. vs. Cuyahoga County Dept. of Children and Family Services, et al.*, United States District Court Case No. 1:05CV2746; authorizing the Law Director and/or his designee to execute the settlement and any related 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**

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2014-0237 was considered and adopted by unanimous vote.

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

- 1) **R2014-0231: A Resolution making an award on RQ30137 to Hilton Supply Management, LLC in the amount not-to-exceed \$150,000.00 to arrange for the purchase, delivery and installation of certain operating supplies and equipment (“OS&E”) for use in the operation of the Hotel; authorizing Hilton Supply Management, LLC to act as the County’s agent to purchase OS&E in the amount not-to-exceed \$7,200,000.00 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



**Council President Connally referred Resolution No. R2014-0231 to the Public Works, Procurement & Contracting Committee.**

- 2) R2014-0232: A Resolution making an award on RQ31509 to Cold Harbor Building Company in the amount not-to-exceed \$3,147,600.00 for the Jane Edna Hunter and Emergency Men's Shelter Roof Renovation 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.

Sponsor: County Executive FitzGerald/Department of Public Works

**Council President Connally referred Resolution No. R2014-0232 to the Public Works, Procurement & Contracting Committee.**

- 3) R2014-0233: A Resolution authorizing a revenue generating Utility Agreement with Village of Highland Hills for maintenance and repair of storm sewers, sanitary sewers and water lines located in County Sewer District No. 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.

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

**Council President Connally referred Resolution No. R2014-0233 to the Public Works, Procurement & Contracting Committee.**

- 4) R2014-0234: A Resolution authorizing a Pay for Success contract with Mental Health Services for Homeless Persons, Inc. dba Frontline Service and Cuyahoga PFS, LLC in the amount not-to-exceed \$5,000,000.00 for an intervention program that provides various services addressing basic needs, housing placement, trauma therapy and family reunification services to children in foster care and homeless families of children in foster care for the period 1/1/2015 - 12/15/2020; 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/Department of Health and Human Services/Division of Children and Family Services and Councilmember Miller

**Council President Connally referred Resolution No. R2014-0234 to the Health, Human Services & Aging Committee.**

- 5) R2014-0235: A Resolution authorizing an amendment to Contract No. CE1300435-01 with Child Care Resource Center of Cuyahoga County dba Starting Point for out-of-school time and transition services for the Out-of-School Time Program for the period 9/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,400,000.00; 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 Health and Human Services/Division of Community Initiatives/Family and Children First Council

**Council President Connally referred Resolution No. R2014-0235 to the Education, Environment & Sustainability Committee.**

- 6) R2014-0236: A Resolution authorizing a contract with Educational Service Center of Cuyahoga County in the amount not-to-exceed \$519,976.00 for administration and evaluation of the PRE4CLE Program for the Invest in Children Program for the period 8/1/2014 - 7/31/2016; 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.

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

**Council President Connally referred Resolution No. R2014-0236 to the Education, Environment & Sustainability Committee.**

- c) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR SECOND READING

- 1) R2014-0212: A Resolution authorizing an agreement with City of Cleveland in the amount not-to-exceed \$600,000.00 for cellular 9-1-1 Public Safety Answering Point services originating in the City of Cleveland for the period 8/18/2014 - 8/17/2015; 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.

Sponsors: County Executive FitzGerald/Department of Public Safety and Justice Services/Office of Emergency Management/Cuyahoga Emergency Communications System

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

**Clerk Schmotzer read Resolution No. R2014-0212 into the record.**

**This item will move to the October 14, 2014 Council meeting agenda for consideration for third reading adoption.**

- d) 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. R2014-0215, R2014-0220, R2014-0221, R2014-0222 and R2014-0223.**

- 1) R2014-0215: A Resolution authorizing an amendment to Contract No. CE1300411-01 with ResCare Workforce Services for a Work Experience Program for Ohio Works First cash recipients for the period 10/1/2013 - 9/30/2014 to extend the time period to 9/30/2015 and for additional funds in the amount not-to-exceed \$1,449,279.00; 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 Health and Human Services/Cuyahoga Job and Family Services

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

**On a motion by Mr. Brady with a second by Mr. Germana, Resolution No. R2014-0215 was considered and adopted by unanimous vote.**

- 2) R2014-0220: 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

Committee Assignment and Chair: Committee of the Whole – Connally

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2014-0220 was considered and adopted by unanimous vote.**

- 3) R2014-0221: A Resolution approving amendments to Amended and Restated Lease Agreement and Amended and Restated Sublease and Operating Agreement with Cuyahoga County Convention Facilities Development Corporation in connection with the Cleveland Convention Center and the Global Center for Health Innovation; 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.

Sponsor: County Executive FitzGerald/Department of Public Works

Committee Assignment and Chair: Committee of the Whole – Connally

**On a motion by Mr. Schron with a second by Mr. Germana, Resolution No. R2014-0221 was considered and adopted by majority vote, with Mr. Brady recusing himself from the vote as he is a member of the Board of Directors of the Cuyahoga County Convention Facilities Development Corporation.**

- 4) R2014-0222: A Resolution authorizing a revenue generating Utility Agreement with City of Highland Heights for maintenance and repair of storm sewers, sanitary sewers and

water lines located in County Sewer District No. 3; 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 Works/Division of County Engineer

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

**On a motion by Mr. Germana with a second by Mr. Schron, Resolution No. R2014-0222 was considered and adopted by unanimous vote.**

- 5) R2014-0223: 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

Committee Assignment and Chair: Finance & Budgeting – Miller

**On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2014-0223 was considered and adopted by unanimous vote.**

e) CONSIDERATION OF A RESOLUTION FOR THIRD READING ADOPTION

- 1) R2014-0211: A Resolution making an award on RQ27440 to MCPc, Inc. in the amount not-to-exceed \$337,951.20 for wireless infrastructure analysis, hardware and installation services for the period 6/1/2014 - 12/31/2016; 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 Information Technology

**On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2014-0211 was considered and adopted by unanimous vote.**

f) COMMITTEE REPORT AND CONSIDERATION OF A RESOLUTION FOR THIRD READING AND REFERRAL TO COMMITTEE

- 1) R2014-0073: A Resolution authorizing a revenue generating Underlying Agreement with City of Cleveland in the minimum amount of \$2,365,658.95 per annum for operation of jail services for City Prisoners, effective 11/1/2014; authorizing a Lease in connection with said agreement in the amount not-to-exceed \$1.00 per annum for use of the City's Central Prison Unit located at 1300 Ontario Street, 6<sup>th</sup> Floor, 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.

Sponsor: County Executive FitzGerald/County Sheriff and Councilmember Hairston

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

**Council President Connally referred Resolution No. R2014-0073 to the Public Safety & Justice Affairs Committee.**

12. MISCELLANEOUS COMMITTEE REPORTS

**Mr. Greenspan reported that the Council Operations & Intergovernmental Relations Committee will meet on Monday, September 29, 2014 at 10:00 a.m.**

**Mr. Miller reported that the Finance & Budgeting Committee will tentatively meet on Monday, October 20, 2014 at 1:00 p.m.**

**Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Wednesday, October 1, 2014 at 1:00 p.m.**

**Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Tuesday, September 30, 2014 at 10:00 a.m.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Wednesday, October 1, 2014 at 11:00 a.m.**

**Ms. Simon reported that the Education, Environment & Sustainability Committee will meet on Wednesday, September 24, 2014 at 10:00 a.m. and on Wednesday, October 1, 2014 at 3:00 p.m.**

13. MISCELLANEOUS BUSINESS

**There was no miscellaneous business.**

14. PUBLIC COMMENT UNRELATED TO AGENDA

**There was no public comment unrelated to the agenda.**

15. EXECUTIVE SESSION

- a) Pending or imminent litigation.

**[Clerk's note: Item No. 15.a) was taken out of order and considered after Item No. 10.a)6).]**

**A motion was made by Mr. Gallagher, seconded by Mr. Miller and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing pending or imminent litigation and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 5:18 p.m. The following Councilmembers were present: Hairston, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones and Connally. The following additional attendees were present: County Executive Edward FitzGerald; Director of Human Resources & Employment Counsel Elise Hara; Personnel Review Commission Administrator Rebecca Kopcienski; Staff Attorney Sara DeCaro; Manager of Employment Testing George Vaughan; Director of Law Majeed Makhoulf; Assistant Law Director Ed Morales; Assistant Law Director Robin Wilson; Assistant Law Director Ruchi Asher; Council Legislative Budget Advisor Trevor McAleer and Special Counsel Michael King. At 5:50 p.m., Executive Session was adjourned, without objection, and Council President Connally then reconvened the regular meeting.**

16. ADJOURNMENT

**With no further business to discuss, Council President Connally adjourned the meeting at 6:20 p.m., without objection.**