



**MINUTES**

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, FEBRUARY 28, 2012  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1<sup>ST</sup> FLOOR  
5:00 PM**

1. CALL TO ORDER

**The meeting was called to order by Council President Connally at 5:03 p.m.**

2. ROLL CALL

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

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 the victims of the shooting at Chardon High School and their families.**

5. PUBLIC COMMENT RELATED TO AGENDA

**Mr. Charles See, representing the Community Re-entry Program, addressed Council regarding issues of concern to him relating to Motion No. M2012-0001 and Ordinance No. O2012-0005.**

6. APPROVAL OF MINUTES

a) February 14, 2012 Meeting

**A motion was made by Mr. Jones, seconded by Mr. Rogers and approved by unanimous vote to approve the minutes of the February 14, 2012 meeting.**

7. MESSAGES FROM THE COUNTY EXECUTIVE

- a) Contracts executed by County Executive (attachment).

**There were no messages given by the County Executive.**

8. COMMITTEE REPORT AND CONSIDERATION OF MOTIONS OF COUNCIL FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Motion Nos. M2012-0001, M2012-0005, M2012-0006 and M2012-0007.**

- a) M2012-0001: A Motion confirming the County Executive's appointment of Alfonso P. Sanchez to serve on the Cuyahoga County Community-Based Correctional Facility Governing Board, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

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

**On a motion by Ms. Conwell with a second by Mr. Gallagher, Motion No. M2012-0001 was considered and approved by unanimous vote.**

- b) M2012-0005: A Motion confirming the County Executive's appointment of Jerry G. Brown to serve on the County Audit Committee, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

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

**On a motion by Mr. Schron with a second by Mr. Gallagher, Motion No. M2012-0005 was considered and approved by unanimous vote.**

- c) M2012-0006: A Motion confirming the County Executive's appointment of Victor A. Ruiz to serve on the Cuyahoga Community College Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

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

**On a motion by Mr. Schron with a second by Ms. Conwell, Motion No. M2012-0006 was considered and approved by unanimous vote.**

- d) M2012-0007: A Motion confirming the County Executive's appointment of The Honorable Timothy DeGeeter to serve on the Northeast Ohio Regional Sewer District Board of Trustees, and declaring the necessity that this Motion become immediately effective.

Sponsors: Council President Connally and **Councilmember Germana**

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

**On a motion by Mr. Germana with a second by Ms. Conwell, Motion No. M2012-0007 was considered and approved by unanimous vote.**

#### 9. CONSIDERATION OF A RESOLUTION OF COUNCIL FOR THIRD READING ADOPTION

- a) R2012-0011: A Resolution proclaiming the month of May of each year as Multiple Chemical Sensitivity Awareness Month in Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsors: Councilmembers Miller, Simon, Conwell, **Rogers and Connally**

**On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2012-0011 was considered and adopted by unanimous vote.**

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

- a) O2012-0005: An Ordinance prohibiting inquiries about or consideration of criminal convictions of applicants for Cuyahoga County employment positions until the applicant has been offered conditional employment; establishing the criterion under which criminal records may be considered; and establishing exceptions.

Sponsors: Councilmembers Connally, Rogers, **Miller, Jones, Brady and Conwell**

**Council President Connally referred Ordinance No. O2012-0005 to the Human Resources, Appointments & Equity Committee.**

11. CONSIDERATION OF A RESOLUTION FOR FIRST READING ~~ADOPTION UNDER~~  
~~SUSPENSION OF RULES~~ **AND REFERRAL TO COMMITTEE**

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rules 9D and 12A and to place on final passage Resolution No. R2012-0035.**

- a) R2012-0035: A Resolution amending the 2012/2013 Biennial Operating Budget for 2012 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

**After Clerk Schmotzer read Resolution No. R2012-0035 into the record for the first reading, Council President Connally referred the item to the Finance & Budgeting Committee.**

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

- a) R2012-0036: A Resolution authorizing an Economic Development Large Scale Attraction Loan in the amount not-to-exceed \$3,000,000.00 to Philips Medical Systems (Cleveland), Inc. for renovation of property located at 595 Miner Road, Highland Heights; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2012-0036 to the Economic Development & Planning Committee.**

- b) R2012-0037: A Resolution authorizing an Economic Development Large Scale Attraction Loan in the amount not-to-exceed \$3,000,000.00 to 800 Superior, LLC, for renovation of property located at 800 Superior Avenue, Cleveland; authorizing the County Executive and/or Director of Development to execute all documents consistent with said loan and this

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

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2012-0037 to the Economic Development & Planning Committee.**

- c) R2012-0038: A Resolution authorizing an agreement with Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County in the amount not-to-exceed \$1,780,395.00 for the Adult Probation Substance Abuse Residential Treatment Program for the period 1/1/2012 - 12/31/2014; 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 on behalf of Common Pleas Court/Corrections Planning Board

**Council President Connally referred Resolution No. R2012-0038 to the Justice Affairs Committee.**

- d) R2012-0039: A Resolution authorizing contracts with various providers for various services in connection with the FY2011 Second Chance Act Adult Offender Reentry Program for the period 10/1/2011 - 9/30/2012; authorizing the County Executive to execute the contracts and all other documents consistent with this Resolution; and declaring the necessity that this Resolution become immediately effective:

1) for evaluation services:

- i) Case Western Reserve University/Begun Center for Violence Prevention Research & Education in the amount not-to-exceed \$75,000.00.

2) for assessment, case management and referral services:

- i) Center for Families and Children in the amount not-to-exceed \$170,815.00.  
ii) Community Assessment and Treatment Services, Inc. in the amount not-to-exceed \$201,471.00.  
iii) Community Re-entry, Inc. in the amount not-to-exceed \$216,134.00.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Community Initiatives/Office of Re-entry

**Council President Connally referred Resolution No. R2012-0039 to the Health, Human Services & Aging Committee.**

- e) R2012-0040: A Resolution authorizing a contract with Starting Point in the amount not-to-exceed \$1,832,782.00 for administration of the Special Needs Child Care Program for the period 1/1/2012 - 12/31/2012; 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. R2012-0040 to the Health, Human Services & Aging Committee.**

13. COMMITTEE REPORTS AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Resolution Nos. R2012-0008, R2012-0021, R2012-0022, R2012-0026, R2012-0027, R2012-0028, R2012-0029, R2012-0030, R2012-0031, R2012-0032, R2012-0033 and R2012-0034.**

- a) R2012-0008: A Resolution proclaiming the month of March 2012 as Save Our Homes Month in Cuyahoga County, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald on behalf of Common Pleas Court

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

**On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2012-0008 was considered and adopted by unanimous vote.**

- b) R2012-0021: A Resolution supporting submission of applications on behalf of Cuyahoga County for first-round funding under the Local Government Innovation Fund available through the State of Ohio, Department of Development; authorizing the County Executive and Department Directors to take all steps necessary in furtherance of this goal, including entering into partnership initiatives/memoranda of understanding with any other potential partners; and declaring the necessity that this Resolution become immediately effective. (Pending Committee recommendation.)

Sponsor: County Executive FitzGerald

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2012-0021 was considered and adopted by unanimous vote.**

- c) R2012-0022: A Resolution approving Right-of-Way plans as set forth in the Right-of-Way Legend Sheet for Permanent Parcel No. 264-21-020, Project Parcel No. 15, located at 7931 Stearns Road for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township; authorizing the County Executive through the Department of Public Works to acquire said Project Parcel as necessary Right-of-Way; 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.

Sponsors: County Executive FitzGerald/Department of Public Works/  
Division of County Engineer and **Councilmembers Gallagher and Greenspan**

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

**On a motion by Mr. Gallagher with a second by Mr. Jones, Resolution No. R2012-0022 was considered and adopted by unanimous vote.**

- d) R2012-0026: A Resolution making an award on RQ21908 to The C.A. Agresta Construction Co. in the amount of \$1,314,468.45 for repair and resurfacing of Noble Road from Euclid Avenue to the East Cleveland South Corporation Line in the City of East Cleveland; authorizing the County Executive to execute a contract and all other documents consistent with said award and this Resolution; and authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in said amount to fund said contract.

Sponsors: County Executive FitzGerald/Department of Public Works/  
Division of County Engineer and Councilmembers Jones and Rogers

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

**On a motion by Ms. Simon with a second by Mr. Rogers, Resolution No. R2012-0026 was considered and adopted by unanimous vote.**

- e) R2012-0027: A Resolution establishing a list of certified providers for occupational skills training services for the Individual Training Account System for the period 11/1/2011 - 6/30/2014; authorizing the County Executive to enter into agreements with said providers for said training services; and declaring the necessity that this Resolution become immediately effective: (Pending Committee recommendation.)
- 1) Kaplan Career Institute
  - 2) Lincoln College of Technology
  - 3) National College
  - 4) Phoenix Healthcare Institute, LLC

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

Committee Assignment and Chair: Economic Development & Planning – Schron

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2012-0027 was considered and adopted by unanimous vote.**

- f) R2012-0028: A Resolution making an award on RQ21601 to Great Lakes Petroleum Co. in the amount not-to-exceed \$554,000.00 for middle distillates for various County facilities for the Department of Public Works for the period 5/1/2012 - 4/30/2013, and authorizing the County Executive to execute a contract and all other documents consistent with said award and this Resolution.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

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

**On a motion by Ms. Simon with a second by Mr. Jones, Resolution No. R2012-0028 was considered and adopted by unanimous vote.**

- g) R2012-0029: A Resolution making an award on RQ21602 to Great Lakes Petroleum Co. in the amount not-to-exceed \$648,000.00 for gasoline for various County facilities for the Department of Public Works for the period 5/1/2012 - 4/30/2013, and authorizing the County Executive to

execute a contract and all other documents consistent with said award and this Resolution.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2012-0029 was considered and adopted by unanimous vote.**

- h) R2012-0030: A Resolution making an award on RQ21586 to Jack Dohney Supplies Ohio, Inc. in the amount not-to-exceed \$696,211.55 for Vactor 21 Series Plus combination sewer cleaning equipment for use by Department of Public Works/Division of County Engineer, and authorizing the County Executive to execute a contract and all other documents consistent with said award and this Resolution.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

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

**On a motion by Mr. Rogers with a second by Ms. Simon, Resolution No. R2012-0030 was considered and adopted by unanimous vote.**

- i) R2012-0031: A Resolution authorizing amendments to Memoranda of Understanding with various providers for the Cuyahoga Tapestry System of Care Provider Services Network for various time periods ending 12/31/2011 to extend the time period to 12/31/2012 and for additional funds in the total amount not-to-exceed \$500,000.00; 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:

- 1) for the period beginning 2/1/2010:
  - i) African Soul
  - ii) AllSports Academy of Greater Cleveland, Inc.
  - iii) Applewood Centers, Inc.
  - iv) Art Therapy Studio
  - v) Be Healed Family Outreach
  - vi) Beech Brook
  - vii) Bellefaire Jewish Childrens Bureau

- viii) Berea Children's Home & Family Services
- ix) Bureau of Drug Abuse, Cleveland Treatment Center, Inc.
- x) Catholic Charities Services Corporation dba Parmadale
- xi) Catholic Charities Services Corporation dba St. Martin de Porres Family Center
- xii) Claudia's Family Development Inc.
- xiii) Cleveland Furniture Bank
- xiv) Community Care Network, Inc.
- xv) Education Alternatives
- xvi) Family Guidance Center, Inc.
- xvii) Pressley Ridge
- xviii) Reading-R.A.M.M.
- xix) START – Support to At-Risk Teens
- xx) Specialized Alternatives for Families and Youth of Ohio, Inc.
- xxi) Sunrise East Tutoring Services, LLC
- xxii) The Cleveland Christian Home Incorporated
- xxiii) The Village Network dba Boys Village
- xxiv) West 25<sup>th</sup> Furnishings and Appliances, Inc.
- xxv) Youth Mentoring and At Risk Intervention, Inc.

2) for the period beginning 6/1/2011:

- i) Building Bridges Murals, Inc.
- ii) Cleveland Eastside Ex-Offender Coalition
- iii) Cleveland Urban Minority Alcoholism & Drug Abuse Outreach Project
- iv) Golden Ciphers
- v) In The Hood Foundation, Inc.
- vi) Jackson Express Services, LLC
- vii) L.E.V.Y. Social Programs, Inc.
- viii) Making a Difference Consulting, LLC
- ix) MGW Resource Center
- x) No Limit Leaders
- xi) Quality Care Residential Homes, Inc.
- xii) The East End Neighborhood House Association
- xiii) The Sanctuary Christian Entertainment Complex, Inc.
- xiv) University Settlement, Incorporation
- xv) V.O.I.C.E. Consulting (Vision, Opportunity, Investment, Commitment, Enterprise)

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and **Councilmember Jones**

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

**On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2012-0031 was considered and adopted by unanimous vote.**

- j) R2012-0032: A Resolution authorizing an agreement with Cuyahoga County Prosecutor's Office in the amount not-to-exceed \$2,074,053.00 for legal services for the Division of Children and Family Services for the period 1/1/2012 - 12/31/2012, and authorizing the County Executive to execute the agreement and all other documents consistent with this Resolution.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services

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

**On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2012-0032 was considered and adopted by unanimous vote.**

- k) R2012-0033: A Resolution making awards on RQ21780 to various providers for community wraparound care coordination and family and youth advocacy services for the period 4/1/2012 - 6/30/2013, and authorizing the County Executive to execute contracts and all other documents consistent with said awards and this Resolution:

- 1) Applewood Centers, Inc. in the amount of \$669,468.72.
- 2) Beech Brook in the amount of \$836,858.40.
- 3) Catholic Charities Community Services Corporation dba St. Martin de Porres Family Center in the amount of \$449,755.00.
- 4) Catholic Charities Services Corporation dba Parmadale in the amount of \$836,858.40.
- 5) The Cleveland Christian Home Incorporated in the amount of \$836,858.40.
- 6) The East End Neighborhood House Association in the amount of \$475,002.00.
- 7) University Settlement, Incorporated in the amount of \$375,640.00.
- 8) West Side Community House in the amount of \$553,865.00.

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and **Councilmember Jones**

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

**On a motion by Mr. Brady with a second by Mr. Jones, Resolution No. R2012-0033 was considered and adopted by unanimous vote.**

- l) R2012-0034: A Resolution making awards on RQ21241 to various providers, each in the amount not-to-exceed \$640,928.00, for the Family to Family Neighborhood System of Care for the period 4/1/2012 - 3/31/2014, and authorizing the County Executive to execute contracts and all other documents consistent with said awards and this Resolution:
- 1) Catholic Charities Community Services Corporation (St. Martin de Porres Family Center)
  - 2) Cleveland Urban Minority Alcoholism & Drug Abuse Outreach Project
  - 3) The East End Neighborhood House Association
  - 4) Friendly Inn Settlement, Inc.
  - 5) The Harvard Community Services Center
  - 6) Center for Families and Children
  - 7) City of Lakewood
  - 8) Murtis Taylor Human Services System (East Cleveland)
  - 9) Murtis Taylor Human Services System (Mt. Pleasant)
  - 10) Parma City School District
  - 11) University Settlement, Incorporated
  - 12) West Side Community House
  - 13) Word of Righteousness Family Life Center, Inc.
  - 14) YMCA of Greater Cleveland

Sponsors: County Executive FitzGerald/Department of Health and Human Services/Division of Children and Family Services and **Councilmembers Conwell, Miller, Germana and Jones**

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

**On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2012-0034 was considered and adopted by unanimous vote.**

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

- a) O2012-0006: An Ordinance approving revised Cuyahoga County Procurement Card Program Policies and Procedures, effective 2/1/2012; and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Fiscal Officer/Office of Procurement & Diversity

**Council President Connally referred Ordinance No. O2012-0006 to the Public Works, Procurement & Contracting Committee.**

**15. MISCELLANEOUS COMMITTEE REPORTS**

**Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, March 5, 2012 at 1:00 p.m.**

**Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Thursday, March 1, 2012 at 10:00 a.m.**

**Ms. Simon reported that the Justice Affairs Committee will meet on Friday, March 9, 2012.**

**Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Thursday, March 1, 2012 at 11:00 a.m.**

**16. MISCELLANEOUS BUSINESS**

**Council President Connally reported on the Harvest for Hunger campaign and encouraged all County employees to participate.**

**17. PUBLIC COMMENT UNRELATED TO AGENDA**

**No public comments were given.**

**18. EXECUTIVE SESSION**

- a) Pending litigation
- b) Collective bargaining matters

**A motion was made by Mr. Brady, seconded by Mr. Gallagher, and approved by unanimous roll-call vote to move to Executive Session for the purpose of discussing matters concerning pending litigation and collective bargaining, and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 5:46 p.m. The following members were present: Councilmembers Schron, Conwell, Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher and Connally. The following additional attendees were present: County Executive Ed FitzGerald, Clerk of Council Jeanne Schmotzer, Deputy Clerk of Council Nikima Barnhill, Assistant Deputy Clerk of Council Janine Thurman, Director of Law Majeed Makhlof, Assistant Law Director Ed Morales, Deputy Chief Director of Law Nora Hurley, Assistant Prosecuting Attorney Barb Marburger, Civil Division Chief David Lambert, Chief of Staff Joe Nanni, Senior Policy Advisor Joanne Gross and Legislative Budget Advisor Trevor McAleer. At 7:27 p.m. Executive Session was**

**adjourned, without objection, and Council President Connally then reconvened the regular meeting.**

**19. ADJOURNMENT**

**With no further business to discuss and on a motion by Mr. Greenspan with a second by Mr. Miller, the meeting was adjourned at 7:28 p.m., without objection.**