



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, SEPTEMBER 11, 2012
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 Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Rogers, Simon and Connally were in attendance and a quorum was determined. Councilmember Jones entered the meeting 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 in memory of the September 11th tragedy.

5. PUBLIC COMMENT RELATED TO AGENDA

Mr. Loree Soggs, representing the Cleveland Building and Construction Trades Council, addressed Council regarding issues of concern to him relating to Resolution No. R2012-0189, a Resolution making an award on RQ22640 to Brigadier Construction Services, LLC, in the amount of \$6,444,000.00 for the Cuyahoga County Corrections Center Jail Kitchen Renovation Project.

6. APPROVAL OF MINUTES

- a) August 28, 2012 Committee of the Whole Meeting
- b) August 28, 2012 Work Session
- c) August 28, 2012 Regular Meeting

A motion was made by Ms. Conwell, seconded by Mr. Brady and approved by unanimous vote to approve the minutes of the Committee of the Whole meeting, work session and regular meeting of August 28, 2012.

7. ANNOUNCEMENTS FROM THE COUNCIL PRESIDENT

Council President Connally reported the following:

- 1) **A forum presented by the Cleveland Metropolitan Bar Association in association with the Cuyahoga County Board of Elections, Cuyahoga County Library and The Cleveland Plain Dealer regarding election law will be held at the Board of Elections on Wednesday, September 12, 2012 at 7:00 p.m. The event is free and open to the public. All are encouraged to participate.**

8. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported the following:

- 1) **Attended the Democratic National Convention in Charlotte, NC and met with representatives of the Charlotte Chamber of Commerce to discuss how the DNC was awarded to the city. Cleveland is a comparable city to Charlotte and is likely to host such an event in 2016 or 2020. He encouraged Council to participate in bringing one or both of the political conventions to Cleveland;**
- 2) **An agreement has been signed between the County and the Cities of Bedford, Bedford Heights and Maple Heights for the consolidation of 9-1-1 centers;**
- 3) **Approximately 46 communities have signed on to the anti-poaching agreement;**
- 4) **Nominees to the Charter Review Commission have been submitted to Council; and**
- 5) **Provided an update regarding the voting process for vote by mail, early voting and ballots discarded due to poll worker errors.**

9. CONSIDERATION OF A MOTION OF COUNCIL FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) M2012-0024: A Motion confirming the County Executive's appointment of individuals to serve on the Alcohol, Drug Addiction and Mental Health Services Board of Cuyahoga County, and declaring the necessity that this Motion become immediately effective:

- 1) Stephanie J. FallCreek
- 2) Mary O. Boyle
- 3) William J. Tobin
- 4) Elsie Caraballo

Sponsor: Council President Connally

Council President Connally referred Motion No. M2012-0024 to the Human Resources, Appointments & Equity Committee.

10. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR SECOND READING

- a) O2012-0022: An Ordinance designating an additional five percent of all collections of delinquent real property, personal property and manufactured and mobile home taxes and assessments to be deposited in the delinquent tax and assessment collection fund; and appropriating such amount to the use of the Cuyahoga County Land Reutilization Corporation.

Sponsors: Councilmembers Brady and Miller

Committee Assignment and Chair: Finance & Budgeting – Miller

Clerk Schmotzer read Ordinance No. O2012-0022 into the record.

This item will move to the September 25, 2012 Council meeting agenda for consideration for third reading adoption.

11. CONSIDERATION OF RESOLUTIONS FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Ms. Simon, seconded by Mr. Gallagher and approved by unanimous roll-call vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2012-0179, R2012-0180 and R2012-0181.

- a) R2012-0179: 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

On a motion by Mr. Miller with a second by Mr. Germana, Resolution No. R2012-0179 was considered and adopted by unanimous vote.

b) R2012-0180: A Resolution making awards on RFQ24937 to various title insurance companies in connection with the Cuyahoga County Real Estate Property Portfolio Consolidation Project; authorizing the County Executive or Director of Law to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) Chicago Title Insurance Company
- 2) First American Title Insurance Company

Sponsor: County Executive FitzGerald/Department of Law

On a motion by Mr. Schron with a second by Mr. Gallagher, Resolution No. R2012-0180 was considered and adopted by unanimous vote.

c) R2012-0181: A Resolution making an award on RFQ24674 to Tucker Ellis LLP in the amount not-to-exceed \$450,000.00 for outside legal services in connection with the Cuyahoga County Real Estate Property Portfolio Consolidation Project; directing the Cuyahoga County Prosecutor to file an application with the Court of Common Pleas for said retention in accordance with Ohio Revised Code Section 305.14; authorizing the County Executive or Director of Law 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 Law on behalf of Cuyahoga County Prosecutor's Office

On a motion by Mr. Greenspan with a second by Ms. Simon, Resolution No. R2012-0181 was considered and adopted by majority vote, with Councilmember Schron recusing himself from the vote.

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

- a) R2012-0182: 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. R2012-0182 to the Finance & Budgeting Committee.

- b) R2012-0183: A Resolution declaring that public convenience and welfare requires repair and resurfacing of Harvard Avenue from Newburgh Heights West Corporation Line to East 54th Street in the Village of Newburgh Heights; total estimated construction cost \$650,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project.

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

Council President Connally referred Resolution No. R2012-0183 to the Public Works, Procurement & Contracting Committee.

- c) R2012-0184: A Resolution declaring that public convenience and welfare requires rehabilitation of North Main Street Bridge No. 00.12 over the Chagrin River in the Village of Chagrin Falls; total estimated construction cost \$2,900,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project.

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

Council President Connally referred Resolution No. R2012-0184 to the Public Works, Procurement & Contracting Committee.

- d) R2012-0185: A Resolution declaring that public convenience and welfare requires resurfacing of Sprague Road from Broadview Road to State Road

in the Cities of Broadview Heights, North Royalton and Parma; total estimated construction cost \$1,550,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; and authorizing the County Executive to enter into agreements of cooperation with said municipalities in connection with said project.

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

Council President Connally referred Resolution No. R2012-0185 to the Public Works, Procurement & Contracting Committee.

- e) R2012-0186: A Resolution granting above-ground and underground Standard Easements for Electric Facilities to City of Cleveland for installing, constructing, reconstructing, operating, supplementing, repairing, maintaining, relocating, removing and renewing underground electric lines consisting of cable, ducts, conduits, fixtures, equipment and appliances and such other underground electric facilities as are deemed necessary or convenient for the purpose of distributing electricity, located on and above certain property located on the Eastern side of, and below, the Brooklyn/Brighton Bridge (West 25th Street) abutting old Pearl Road, Cleveland, Permanent Parcel Nos. 014-24-009 and 014-23-999; and authorizing the County Executive to execute all documents required in connection with said easements and consistent with this Resolution.

Sponsor: County Executive FitzGerald/Department of Public Works

Council President Connally referred Resolution No. R2012-0186 to the Public Works, Procurement & Contracting Committee.

- f) R2012-0187: A Resolution making an award on RQ24597 to En Pointe Technologies Sales, Inc. in the amount not-to-exceed \$3,577,071.15 for a Microsoft Enterprise Agreement for products and services for the period 6/30/2012 - 6/29/2017; and authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution.

Sponsor: County Executive FitzGerald/Department of Information Technology

Council President Connally referred Resolution No. R2012-0187 to the Finance & Budgeting Committee.

- g) R2012-0188: A Resolution authorizing an amendment to Contract No. CE0900604-01, 04 with Starting Point for administration of various

initiatives of the Universal Pre-Kindergarten Program for the Invest in Children Program for the period 8/1/2009 - 7/31/2011 to extend the time period to 7/31/2013, to change the scope of services, effective 8/1/2012, and for additional funds in the amount of \$566,865.00; 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/Office of Early Childhood

Council President Connally referred Resolution No. R2012-0188 to the Health, Human Services & Aging Committee.

- h) R2012-0189: A Resolution making an award on RQ22640 to Brigadier Construction Services, LLC, in the amount of \$6,444,000.00 for the Cuyahoga County Corrections Center Jail Kitchen 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. R2012-0189 to the Public Safety 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. R2012-0164, R2012-0173, R2012-0175, R2012-0176, R2012-0177 and R2012-0178.

- a) R2012-0164: A Resolution making an award on RQ23994 to Americab Transportation, Inc. in the amount not-to-exceed \$3,000,000.00 for transportation services for the Division of Employment and Family Services for the period 9/1/2012 - 8/31/2014; 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/Fiscal Officer/Office of Procurement and Diversity

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

On a motion by Mr. Brady with a second by Mr. Miller, Resolution No. R2012-0164 was considered and adopted by unanimous vote.

- b) R2012-0173: A Resolution making an award on RQ24294 to Terrace Construction Company, Inc. in the amount not-to-exceed \$6,957,014.80 for the improvement of East 105th Street/Martin Luther King Drive Intersection in the City of Cleveland; and authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution.

Sponsor: County Executive FitzGerald/Department of Public Works/
Division of County Engineer and Councilmembers Conwell, Rogers and Jones

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

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2012-0173 was considered and adopted by unanimous vote.

- c) R2012-0175: A Resolution making awards on RQ23133 to various providers for Universal Pre-Kindergarten services for the period 8/1/2012 - 7/31/2013; authorizing the County Executive to execute the contracts and all other documents consistent with said awards and this Resolution; and declaring the necessity that this Resolution become immediately effective:
- 1) Achievement Centers for Children in the amount not-to-exceed \$31,761.00.
 - 2) Ganon Gil Preschool of the Temple Tifereth Israel, Inc. in the amount not-to-exceed \$46,407.00.
 - 3) Hanna Perkins School in the amount not-to-exceed \$36,433.00.
 - 4) Cassandra Rene Thompson in the amount not-to-exceed \$28,752.00
 - 5) Ericka L. Elmore in the amount not-to-exceed \$20,045.00
 - 6) Positive Beginnings Childcare & Preschool in the amount not-to-exceed \$10,563.00.
 - 7) Yolanda Casas-Knight in the amount not-to-exceed \$37,360.00.
 - 8) Catholic Charities Community Services Corporation - Riverside Head Start in the amount not-to-exceed \$6,473.60.
 - 9) Catholic Charities Community Services Corporation - St. Martin de Porres Head Start in the amount not-to-exceed \$6,473.60.
 - 10) Catholic Charities Community Services Corporation - St. Philip Neri Head Start in the amount not-to-exceed \$181,824.00.
 - 11) Center for Families and Children - Bingham Early Learning Center in the amount not-to-exceed \$114,598.00.

- 12) Center for Families and Children - Mather Early Learning Center in the amount not-to-exceed \$114,485.00.
- 13) Center for Families and Children - McMillan Early Learning Center in the amount not-to-exceed \$191,083.00.
- 14) Center for Families and Children - Wade Early Learning Center in the amount not-to-exceed \$198,300.00.
- 15) Early Childhood Enrichment Center, Inc. in the amount not-to-exceed \$164,664.00.
- 16) Lakewood Beginnings Child Development Center, Inc. in the amount not-to-exceed \$95,070.00.
- 17) Kiddie City Child Care Community, Inc. in the amount not-to-exceed \$175,530.00.
- 18) Parma Pre-School, Inc. in the amount not-to-exceed \$171,785.00.
- 19) Guidestone - Family Life Child Care Center of Berea in the amount not-to-exceed \$250,084.00.
- 20) Guidestone - Family Life Child Care Center of Brook Park in the amount not-to-exceed \$122,344.00.
- 21) Guidestone - Family Life Child Care Center of Lakewood in the amount not-to-exceed \$123,232.00.
- 22) Guidestone - Family Life Child Care Center of Maple Heights in the amount not-to-exceed \$73,886.00.
- 23) Guidestone - Family Life Child Care Center of Middleburg Heights in the amount not-to-exceed \$100,718.00.
- 24) The Cleveland Music School Settlement in the amount not-to-exceed \$68,224.00.
- 25) The East End Neighborhood House Association in the amount not-to-exceed \$128,893.00.
- 26) The Merrick House in the amount not-to-exceed \$100,415.00.
- 27) The Young Women's Christian Association of Greater Cleveland, Ohio in the amount not-to-exceed \$165,679.00.
- 28) West Side Ecumenical Ministry - Archwood Health Start in the amount not-to-exceed \$98,341.00.
- 29) West Side Ecumenical Ministry - Gilbert Head Start in the amount not-to-exceed \$67,344.00.
- 30) West Side Ecumenical Ministry - Youth & Family Learning Center in the amount not-to-exceed \$97,545.00.

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

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

On a motion by Mr. Brady with a second by Mr. Gallagher, Resolution No. R2012-0175 was considered and adopted by unanimous vote.

d) R2012-0176: A Resolution authorizing various contracts with The Salvation Army of Greater Cleveland in connection with the FY2011 Continuum of Care Homeless Assistance Grant Programs and the McKinney-Vento Homeless Assistance Act; 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) PASS Supportive Housing Program in the amount not-to-exceed \$265,549.00 for the period 8/1/2012 - 7/31/2013.
- 2) PASS Transitional Housing Program in the amount not-to-exceed \$527,499.00 for the period 10/1/2012 - 9/30/2013.

Sponsor: County Executive FitzGerald/Department 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. Rogers, Resolution No. R2012-0176 was considered and adopted by unanimous vote.

e) R2012-0177: A Resolution authorizing a contract with Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$1,464,552.00 for the Shelter Plus Care Tenant-based Rental Assistance Program in connection with the McKinney-Vento Homeless Assistance Act for the period 8/1/2012 - 7/31/2013; 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 Homeless Services

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

On a motion by Mr. Brady with a second by Ms. Conwell, Resolution No. R2012-0177 was considered and adopted by unanimous vote.

f) R2012-0178: A Resolution authorizing amendments to contracts with various providers for placement services for the period 10/1/2011 - 6/30/2012 to extend the time period to 12/31/2013 and for additional funds; 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) No. CE1100613-01 with New Directions, Inc. in the amount not-to-exceed \$216,000.00.
- 2) No. CE1100626-01 with Pressley Ridge in the amount not-to-exceed \$2,866,572.00.

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 Ms. Conwell, Resolution No. R2012-0178 was considered and adopted by unanimous vote.

14. CONSIDERATION OF ORDINANCES FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) O2012-0027: An Ordinance authorizing the renaming of the Cuyahoga County Urban Area Working Group (UAWG) to the Cuyahoga County Emergency Services Advisory Board (CCESAB); authorizing said Board to establish and amend its bylaws to comply with mandates of the Ohio Revised Code and to update membership of the Board; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Safety and Justice Services/Division of Emergency Management

Council President Connally referred Ordinance No. O2012-0027 to the Public Safety Committee.

- b) O2012-0028: An Ordinance authorizing the renaming of the Cuyahoga County Regional Information System (CRIS) to the Cuyahoga County Regional Enterprise Data Sharing System (REDSS); authorizing said Board to establish and amend its bylaws to comply with mandates of the Ohio Revised Code and to update membership of the Board; and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Public Safety and Justice Services/Division of Information Technology

Council President Connally referred Ordinance No. O2012-0028 to the Public Safety Committee.

15. COMMITTEE REPORTS AND CONSIDERATION OF ORDINANCES FOR SECOND
READING ADOPTION UNDER SUSPENSION OF RULES

A motion was made by Ms. Simon, seconded by Mr. Rogers and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance Nos. O2012-0023 and O2012-0024.

- a) O2012-0023: An Ordinance providing for adoption of various changes to the Cuyahoga County Non-Bargaining Classification Plan, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald on behalf of Human Resource Commission

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

On a motion by Ms. Conwell with a second by Mr. Miller, Ordinance No. O2012-0023 was considered and adopted by unanimous vote.

- b) O2012-0024: An Ordinance providing for adoption of various changes to the Cuyahoga County Non-Bargaining Salary Schedules, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald on behalf of Human Resource Commission

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

On a motion by Ms. Conwell with a second by Ms. Simon, Ordinance No. O2012-0024 was considered and adopted by unanimous vote.

16. MISCELLANEOUS COMMITTEE REPORTS

Mr. Brady reported that the Health, Human Services & Aging Committee will meet on Thursday, September 20, 2012 at 1:00 p.m.

Mr. Miller reported that the Finance & Budgeting Committee will meet on Monday, September 17, 2012 at 1:00 p.m.

Ms. Conwell reported that the Human Resources, Appointments & Equity Committee will meet on Thursday, September 20, 2012 at 10:00 a.m.

Mr. Jones reported that the Public Works, Procurement & Contracting Committee will meet on Thursday, September 20, 2012 at 11:00 a.m.

17. MISCELLANEOUS BUSINESS

Council President Connally discussed various new internal procedures being implemented by Council staff designed to organize new projects and initiatives.

Mr. Schron offered further reflections on the anniversary of the September 11th tragedy.

Mr. Germana announced that he is one of the co-chairs of the National Alliance on Mental Illness (NAMI) Walk being held on Saturday, September 22, 2012 at 10:00 a.m.

18. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given.

19. ADJOURNMENT

With no further business, Council President Connally adjourned the meeting at 5:56 p.m., without objection.