

**MINUTES**  
CUYAHOGA COUNTY COUNCIL REGULAR MEETING  
TUESDAY, APRIL 12, 2011  
CUYAHOGA COUNTY JUSTICE CENTER  
COUNCIL CHAMBERS – 1ST FLOOR  
6:00 PM

**1. CALL TO ORDER**

**The meeting was called to order by Council President Connally at 6:00 p.m.**

**2. PLEDGE OF ALLEGIANCE**

**The Pledge of Allegiance was recited.**

**3. SILENT MEDITATION**

**Council President Connally called on Mr. Gallagher, who requested that a moment of silent meditation be dedicated in memory of former Ohio Supreme Court Justice Francis E. Sweeney, Sr. who passed away.**

**4. ROLL CALL**

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

**5. PUBLIC COMMENT RELATED TO AGENDA**

**No public comments were given.**

**6. APPROVAL OF MINUTES**

- a) April 5, 2011 Meeting

**The minutes were tabled for further review and will be considered for approval at the next meeting.**

**7. MESSAGES FROM THE COUNTY EXECUTIVE**

- a) Contracts executed by County Executive

**Mr. Bob Ivory, Special Assistant to County Executive FitzGerald, reported that items that have been signed off by the Executive will be sent to Council by the end**

of the week. Mr. Ivory also introduced Mr. Jeffrey Mowry, the new Chief Information Officer for the County.

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

- a) M2011-0026: A Motion confirming the County Executive's appointment of Matthew Carroll to serve as *ex officio* representative on the Gateway Economic Development Corporation of Greater Cleveland Board of Trustees.

Sponsor: Council President Connally

**Council President Connally referred Motion No. M2011-0026 to the Human Resources, Appointments & Equity Committee.**

9. COMMITTEE REPORT AND CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR THIRD READING AND REFERRAL TO COMMITTEE

- a) O2011-0014: An Ordinance establishing the Board of Control, establishing procedures governing the making of County contracts and the purchasing of County supplies and equipment, providing procedures for the making of public improvements, establishing procedures under which the County Executive may employ experts and consultants in connection with the administration of the affairs of the County, and providing the terms upon which the County may cooperate or join by contract with any municipality, county, state or political subdivision or agency thereof in making public improvements or providing common services.

Sponsors: Miller and Jones

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

**Council President Connally referred Ordinance No. O2011-0014 to the Public Works, Procurement & Contracting Committee.**

10. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER SUSPENSION OF RULES

**A motion was made by Mr. Miller, seconded by Mr. Greenspan and approved by unanimous vote to suspend Rules 9D and 13A and to place on final passage Resolution No. R2011-0137.**

- a) R2011-0137: A Resolution amending the 2011 Annual Appropriation Measure 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/Office of Budget & Management

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2011-0137 was considered and adopted by unanimous vote.**

#### 11. CONSIDERATION OF RESOLUTIONS FOR FIRST READING AND REFERRAL TO COMMITTEE

- a) R2011-0138: A Resolution declaring that public convenience and welfare requires resurfacing of Columbus Road from Center Street to West 25th Street in the City of Cleveland; total estimated construction cost \$2,054,000.00; authorizing the County Executive to enter into an agreement of cooperation with City of Cleveland in connection with said project.

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

**Council President Connally referred Resolution No. R2011-0138 to the Public Works, Procurement & Contracting Committee.**

- b) R2011-0139: A Resolution accepting scour repair of Old Royalton Road Bridge No. 108 over Chippewa Creek in the City of Brecksville as complete and in accordance with plans and specifications.

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

**Council President Connally referred Resolution No. R2011-0139 to the Public Works, Procurement & Contracting Committee.**

- c) R2011-0140: A Resolution accepting repair and resurfacing of Usher Road from Sprague Road to Bagley Road in the City of Olmsted Falls and Olmsted Township as complete and in accordance with plans and specifications.

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

**Council President Connally referred Resolution No. R2011-0140 to the Public Works, Procurement & Contracting Committee.**

- d) R2011-0141: A Resolution accepting rehabilitation of West 130th Street from Snow Road to Brookpark Road in the Cities of Brook Park and Parma as complete and in accordance with plans and specifications.

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

**Council President Connally referred Resolution No. R2011-0141 to the Public Works, Procurement & Contracting Committee.**

- e) R2011-0142: A Resolution authorizing the County Executive to approve an additional settlement in connection with the appropriation of property rights for the grading, draining and paving of Bainbridge Road from S.O.M. Center Road to the Solon East Corporation Line in the City of Solon, and declaring the necessity that this Resolution become immediately effective.

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

**Council President Connally referred Resolution No. R2011-0142 to the Public Works, Procurement & Contracting Committee.**

- f) R2011-0143: A Resolution authorizing the County Executive to enter into an amendment to a Local Public Agency (LPA) Agreement with Ohio Department of Transportation for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township to change the funding arrangement and scope of services, effective 4/12/2011, and declaring the necessity that this Resolution become immediately effective.

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

**Council President Connally referred Resolution No. R2011-0143 to the Public Works, Procurement & Contracting Committee.**

- g) R2011-0144: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0700690-01 with TranSystems Corporation of Ohio for consultant engineering services for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township to change the scope of services and the terms, effective

4/12/2011, and for additional funds in the amount of \$868,990.00, and declaring the necessity that this Resolution become immediately effective.

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

**Council President Connally referred Resolution No. R2011-0144 to the Public Works, Procurement & Contracting Committee.**

- h) R2011-0145: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE0900388-01 with C.T. Consultants, Inc. for general engineering services for the period 4/1/2009 - 3/31/2011 to extend the time period to 12/31/2011; no additional funds required.

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

**Council President Connally referred Resolution No. R2011-0145 to the Public Works, Procurement & Contracting Committee.**

- i) R2011-0146: A Resolution authorizing the County Executive to enter into an amendment (Change Order No. 1) to Contract No. CE1000349-01 with Terrace Construction Company, Inc. for the Sewer and Lateral Repair Program for various County sewer districts to change the scope of services, effective 4/12/2011; no additional funds required.

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

**Council President Connally referred Resolution No. R2011-0146 to the Public Works, Procurement & Contracting Committee.**

- j) R2011-0147: A Resolution authorizing an award on RQ19185 to Karvo Paving Company in the amount of \$2,233,539.49 for repair and resurfacing of Tiedeman Road from Brookpark Road to Memphis Avenue in the City of Brooklyn; authorizing the County Executive to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.

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

**Council President Connally referred Resolution No. R2011-0147 to the Public Works, Procurement & Contracting Committee.**

- k) R2011-0148: A Resolution authorizing a subgrant award to City of Euclid in the amount not-to-exceed \$150,000.00 for a project located at 23802 Lake Shore Boulevard, Euclid, in connection with the Brownfields Revolving Loan Fund Program for the period 8/1/2008 - 7/31/2013; authorizing the County Executive to execute all documents required in connection with said award.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2011-0148 to the Economic Development & Planning Committee.**

- l) R2011-0149: A Resolution authorizing a HOME Rental Rehabilitation loan in the amount not-to-exceed \$500,000.00 to Villa Serena, Inc. for the Villa Serena Senior Citizen Apartments Project, located at 6800 Mayfield Road, Mayfield Heights; authorizing the County Executive to execute all documents required in connection with said loan; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2011-0149 to the Economic Development & Planning Committee.**

- m) R2011-0150: A Resolution authorizing an award on RQ18962 to Lawler Construction in the amount of \$1,289,499.00 for heating unit replacement and associated energy conservation activities for the Villa Serena Apartments Project, located at 6800 Mayfield Road, Mayfield Heights, in connection with the Home Weatherization Assistance Program for the period 5/1/2011 - 9/30/2011; authorizing the County Executive to enter into a contract consistent with said award; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

**Council President Connally referred Resolution No. R2011-0150 to the Economic Development & Planning Committee.**

- n) R2011-0151: A Resolution authorizing the County Executive to enter into a contract with Cranel Incorporated dba Versitec in the amount not-to-exceed \$785,643.60 for maintenance on various Kodak and Fujitsu equipment for various County departments for the period 1/1/2011 - 12/31/2013.

Sponsor: County Executive FitzGerald/Information Services Center

**Council President Connally referred Resolution No. R2011-0151 to the Finance & Budgeting Committee.**

- o) R2011-0152: A Resolution authorizing the issuance of notes in the maximum principal amount of \$10,400,000.00 in anticipation of Bonds for the purpose of refunding bond anticipation notes, the proceeds of which were originally to refund the County's \$10,150,000.00 Rock and Roll Hall of Fame Museum Project Notes, Series 2010, that were issued to pay the costs of acquiring, constructing and equipping a library and an archives facility for the Rock and Roll Hall of Fame and Museum and certain improvements and renovations of the Rock and Roll Hall of Fame Museum.

Sponsor: County Executive FitzGerald/Office of Budget & Management

Bond Counsel: Roetzel & Andress LPA

**Council President Connally referred Resolution No. R2011-0152 to the Finance & Budgeting Committee.**

- p) R2011-0153: A Resolution authorizing the County Executive to enter into a contract with MHS, Inc. in the amount not-to-exceed \$550,611.00 for crisis intervention and assessment services for the Children Who Witness Violence Program for the period 1/1/2011 - 12/31/2011.

Sponsor: County Executive FitzGerald/Department of Justice Affairs/Witness/Victim Service Center

**Council President Connally referred Resolution No. R2011-0153 to the Justice Affairs Committee.**

- q) R2011-0154: A Resolution authorizing the County Executive on behalf of the Cuyahoga County Board of Developmental Disabilities to enter into an amendment to Contract No. CE1000448-01 with Terik Roofing, Inc. for various Roof Replacement Projects to change the scope of services and the terms, effective 11/29/2010, and for a decrease in the amount of (\$20,549.00):

- 1) Brooklyn Adult Activities Center, located at 10991 Memphis Avenue, Brooklyn
- 2) Operations Facility, located at 4553 Hinckley Industrial Parkway, Cleveland
- 3) Rocky River Adult Activities Center, located at 20120 Detroit Road,

Rocky River

4) Transportation Services Center, located at 7001 Euclid Avenue, Cleveland

Sponsor: County Executive FitzGerald on behalf of the Cuyahoga County Board of Developmental Disabilities

**Council President Connally referred Resolution No. R2011-0154 to the Health, Human Services & Aging Committee.**

- r) R2011-0155: A Resolution authorizing an award on RQ18597 to MetroHealth Medical Center in the amount of \$880,595.00 for medical and social support services for the HIV Emergency Relief Grant Program in connection with the Ryan White HIV/AIDS Treatment Extension Act of 2009 for the period 3/1/2011 - 2/29/2012; authorizing the County Executive to enter into a contract consistent with said award.

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

**Council President Connally referred Resolution No. R2011-0155 to the Health, Human Services & Aging Committee.**

- s) R2011-0156: A Resolution authorizing the County Executive to enter into contracts with various providers for the Homelessness Prevention and Rapid Re-Housing Program for the period 9/15/2009 - 7/31/2012:

1) Cleveland Mediation Center in the amount not-to-exceed \$711,086.00.

2) Emerald Development and Economic Network, Inc. in the amount not-to-exceed \$641,780.00.

3) MHS, Inc. in the amount not-to-exceed \$336,734.00.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Office of Homeless Services

**Council President Connally referred Resolution No. R2011-0156 to the Health, Human Services & Aging Committee.**

- t) R2011-0157: A Resolution authorizing the County Executive to enter into a contract with MHS, Inc. in the amount not-to-exceed \$1,124,293.00 for operational support of the Norma Herr Women's Center fka Community Women's Shelter, located at 2219-2227 Payne Avenue, Cleveland, for the period 1/1/2011 - 12/31/2011.



Sponsor: County Executive FitzGerald/Department of Health and Human Services/Office of Homeless Services

**Council President Connally referred Resolution No. R2011-0157 to the Health, Human Services & Aging Committee.**

- u) R2011-0158: A Resolution authorizing the County Executive to enter into a contract with The Salvation Army in the amount not-to-exceed \$527,499.00 for the PASS Transitional Housing Program in connection with the FY2009 Continuum of Care for Homeless Assistance Grant Program for the period 10/1/2010 - 9/30/2011.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Office of Homeless Services

**Council President Connally referred Resolution No. R2011-0158 to the Health, Human Services & Aging Committee.**

- v) R2011-0159: A Resolution authorizing the County Executive to enter into an amendment to Agreement No. AG1000201-01 with Department of Workforce Development for operation of the Employment Connection One-Stop System, Career Centers and Work Experience Program for the period 7/1/2010 - 6/30/2011 to extend the time period to 6/30/2012, to change the scope of services, effective 7/1/2011, and for additional funds in the amount of \$753,513.00.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Employment & Family Services

**Council President Connally referred Resolution No. R2011-0159 to the Health, Human Services & Aging Committee.**

- w) R2011-0160: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE1000623-01 with LNE & Associates, LLP, for job readiness, search, placement and retention activities for Ohio Works First cash recipients for the period 7/1/2010 - 6/30/2011 to exercise an option to extend the time period to 6/30/2012 and for additional funds in the amount of \$428,518.08.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Employment & Family Services

**Council President Connally referred Resolution No. R2011-0160 to the Health, Human Services & Aging Committee.**

- x) R2011-0161: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE1000592-01 with Towards Employment, Incorporated for job readiness, search, placement and retention activities for Ohio Works First cash recipients for the period 7/1/2010 - 6/30/2011 to exercise an option to extend the time period to 6/30/2012 and for additional funds in the amount of \$436,617.15.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Employment & Family Services

**Council President Connally referred Resolution No. R2011-0161 to the Health, Human Services & Aging Committee.**

- y) R2011-0162: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE1000593-01 with West Side Ecumenical Ministry for job readiness, search, placement and retention activities for Ohio Works First cash recipients for the period 7/1/2010 - 6/30/2011 to exercise an option to extend the time period to 6/30/2012 and for additional funds in the amount of \$473,901.21.

Sponsor: County Executive FitzGerald/Department of Health and Human Services/Employment & Family Services

**Council President Connally referred Resolution No. R2011-0162 to the Health, Human Services & Aging Committee.**

## **12. COMMITTEE REPORT AND RECOMMENDATION TO WITHDRAW RESOLUTION FROM CONSIDERATION**

- a) R2011-0121: A Resolution making an award on RQ18560 and authorizing the County Executive to enter into a contract with Infinity Construction Co., Inc. in the amount of \$5,490,000.00 for the Corrections Center Jail Kitchen Renovation Project.

**At the request of County Executive FitzGerald, Resolution No. R2011-0121 was withdrawn from consideration and the project will be rebid.**

## **13. COMMITTEE REPORT AND CONSIDERATION OF RESOLUTIONS FOR SECOND READING ADOPTION UNDER SUSPENSION OF RULES**

**A motion was made by Mr. Miller, seconded by Mr. Rogers and approved by unanimous vote to suspend Rules 9D and 13A and to place on final passage Resolution Nos. R2011-0075, R2011-0115, R2011-0116, R2011-0118, R2011-0122, R2011-0123 and R2011-0124.**

- a) R2011-0075: A Resolution authorizing the County Executive to enter into an agreement of cooperation with City of Cleveland Heights for rehabilitation of Taylor Road from Euclid Heights Boulevard to Cleveland Heights North Corporation Line, and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Rogers with a second by Mr. Miller, Resolution No. R2011-0075 was considered and adopted by unanimous vote.**

- b) R2011-0115: A Resolution authorizing the County Executive to approve an additional settlement for property rights for the temporary taking of 3,870 sq. ft. in connection with the grading, draining and paving of Bainbridge Road (CR-83) from S.O.M. Center Road to the Solon East Corporation Line, in the City of Solon, and declaring the necessity that this Resolution become immediately effective, and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Schron with a second by Mr. Jones, Resolution No. R2011-0115 was considered and adopted by unanimous vote.**

- c) R2011-0116: A Resolution authorizing the County Executive to grant Sewer Builder's Licenses for the Year 2011; authorizing the Director of Public Works to execute said licenses; and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2011-0116 was considered and adopted by unanimous vote.**

- d) R2011-0118: A Resolution granting authority for the Director of the Office of Procurement & Diversity to advertise and to issue RQ19343 for the purchase of electric utility services for County-owned facilities for the period of 6/1/2011 – 5/31/2012, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Public Works/Central Services

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

**On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2011-0118 was considered and adopted by unanimous vote.**

- e) R2011-0122: A Resolution making an award on RQ19284 and authorizing the County Executive to enter into a contract with Great Lakes Construction Co. in the amount of \$4,954,904.03 for construction of a grade separation on Fitch Road over the Norfolk Southern Railroad in the City of Olmsted Falls and Olmsted Township, and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Greenspan with a second by Ms. Simon, Resolution No. R2011-0122 was considered and adopted by unanimous vote.**

- f) R2011-0123: A Resolution authorizing the County Executive to enter into an amendment (Change Order No. 2) to Contract No. CE0800267-01 with HNTB Ohio, Inc. for general engineering services for various projects for the period 4/1/2008 - 3/31/2011 to extend the time period to 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2011-0123 was considered and adopted by unanimous vote.**

- g) R2011-0124: A Resolution authorizing the County Executive to enter into an amendment (Change Order No. 2) to Contract No. CE0900375-01 with Wilbur Smith Associates, Inc. Ohio for general engineering services for various projects for the period 4/1/2009 - 3/31/2011 to extend the time period to 12/31/2011, and declaring the necessity that this Resolution become immediately effective.

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

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

**On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2011-0124 was considered and adopted by unanimous vote.**

#### 14. HEARING OF OBJECTIONS – 6:30 p.m.

**Council President Connally opened the public hearing at 6:35 p.m. by recognizing Bonnie Teeuwen, Director of Public Works, who spoke briefly to the project. Council President Connally then called for public comment and, hearing none, the public hearing was closed at 6:44 p.m. A motion was made by Mr. Miller, seconded by Mr. Schron and approved by unanimous vote to suspend Rules 9D and 13A and to place on final passage Resolution No. R2011-0163.**

- a) R2011-0163: A Resolution approving Surveys, Plans, Profiles, Cross-Sections, Estimates of Costs, Specifications and Right-of-Way Plat No. M-5009 for reconstruction of Ridge Road from Interstate 480 to Memphis ~~Road~~ **Avenue** in the City of Brooklyn; authorizing the County Executive to acquire the necessary right-of-way and to proceed with the improvement, and declaring the necessity that this Resolution become immediately effective.

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

**On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0163 was considered and adopted by unanimous vote.**

#### 15. MISCELLANEOUS COMMITTEE REPORTS

**Ms. Simon stated that there will be a meeting of the Justice Affairs Committee on Friday, April 15, 2011 at 11:30 a.m. to discuss establishment of the Law Department.**

**Mr. Greenspan stated that a draft of the Inspector General legislation has been sent to County Executive FitzGerald and that he will co-sponsor same.**

**Mr. Germana reported on discussions with Mr. Ed Jerse regarding regional collaboration during a joint meeting of the Economic Development & Planning and Intergovernmental Relations & Collaboration Committees on April 11, 2011.**

**16. MISCELLANEOUS BUSINESS**

**Mr. Greenspan mentioned that he will be holding a District 1 Town Hall Meeting at Olmsted Falls Middle School in Olmsted Township on Thursday, April 14, 2011 at 7:00 p.m.**

**Ms. Simon made a statement commemorating the 150<sup>th</sup> anniversary of the firing on Fort Sumter, thus starting the American Civil War.**

**17. PUBLIC COMMENT UNRELATED TO AGENDA**

**No public comments were given.**

**18. ADJOURNMENT**

**With no further business to discuss and on a motion by Mr. Miller with a second by Mr. Rogers, the meeting was adjourned at 6:58 p.m., without objection.**