



MINUTES

**CUYAHOGA COUNTY COUNCIL REGULAR MEETING
TUESDAY, JULY 26, 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 6:04 p.m.

2. ROLL CALL

Council President Connally asked the Clerk to call the roll. Councilmembers Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell 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 asked that a moment of silent meditation be dedicated in honor of Robin Laine, Magistrate of the Cleveland Municipal Court for over 30 years, who recently passed away. Council President Connally then called on Mr. Jones who asked that a moment of silent meditation be dedicated in honor of Olivia Gibson, mother of Cleveland City Councilmember Mamie Mitchell, who also recently passed away.

5. PUBLIC COMMENT RELATED TO AGENDA

No public comments were given.

6. APPROVAL OF MINUTES

- a) July 12, 2011 Meeting

A motion was made by Ms. Conwell, seconded by Ms. Simon and approved by unanimous vote to approve the minutes of the July 12, 2011 meeting.

7. MESSAGES FROM THE COUNTY EXECUTIVE

County Executive FitzGerald reported the following:

- a) **Numerous calls were received due to flooding. The County's Emergency Management Agency and the Department of Public Works will be active in assisting residents;**
- b) **There will be more data available in August in terms of where revenues are for the first half of the year for the County. This data will be presented to all bargaining units and Councilmembers in August;**
- c) **A Town Hall Meeting will be held in Ms. Conwell's district at the Natural History Museum on Thursday, July 28, 2011 at 7:00 p.m. The next Town Hall Meeting will take place in Mr. Miller's District.**

Council President Connally then reported that today's meeting is the first to be broadcast via livestream on the Cuyahoga County Council website. The County Council is now on Facebook and Twitter for those wishing to receive updates. Free Wi-Fi is also available in Council Chambers and free parking is available to the public to attend evening meetings. All of this is being done in an effort to make the meetings more accessible to the public. A Transparency Summit is will be held on Friday, July 29th and Saturday, July 30th at Cleveland State University and attendance by the public is encouraged.

8. COMMITTEE REPORT AND CONSIDERATION OF A MOTION 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 No. M2011-0039.

- a) M2011-0039: A Motion confirming the County Executive's appointment of Lawrence Benders to serve on the Cleveland/Cuyahoga County Workforce Investment Board, and declaring the necessity that this Motion become immediately effective.

Sponsor: Council President Connally

On a motion by Mr. Schron with a second by Ms. Conwell, Motion No. M2011-0039 was considered and approved by unanimous vote.

9. CONSIDERATION OF AN ORDINANCE OF COUNCIL FOR FIRST READING
ADOPTION UNDER SUSPENSION OF RULES

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 Ordinance No. O2011-0035.

- a) O2011-0035: An Ordinance amending Ordinance No. O2011-0023, which ~~adopted a~~ amended the permanent Code of Ethics, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: Councilmember Greenspan

A motion was made by Mr. Greenspan, seconded by Mr. Schron and approved by unanimous vote to consider substitute Ordinance No. O2011-0035.

On a motion by Mr. Miller with a second by Mr. Rogers, substitute Ordinance No. O2011-0035 was considered and adopted by unanimous vote.

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

- a) O2011-0031: An Ordinance providing for the adoption of a campaign finance policy for Cuyahoga County.

Sponsor: Councilmember Greenspan

Council President Connally referred Ordinance No. O2011-0031 to the Rules, Charter Review, Ethics & Council Operations Committee.

- b) O2011-0032: An Ordinance establishing guidelines under which Council is to consider and approve subsidies to boards, commissions, agencies, corporations, and other entities or authorities over which the County Council does not have direct, immediate oversight of daily, operational management decisions.

Sponsor: Councilmember Greenspan

Council President Connally referred Ordinance No. O2011-0032 to the Finance & Budgeting Committee and to the Rules, Charter Review, Ethics & Council Operations Committee.

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 vote to suspend Rules 9D and 12A and to place on final passage Resolution Nos. R2011-0235 and R2011-0236.

- a) R2011-0235: 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/Fiscal Officer/Office of Budget & Management

On a motion by Mr. Miller with a second by Mr. Rogers, Resolution No. R2011-0235 was considered and adopted by unanimous vote.

- b) R2011-0236: A Resolution amending Resolution No. R2011-0201 dated 6/28/2011, which authorized the County Executive to enter into an agreement with Cuyahoga County District Board of Health in the amount not-to-exceed \$5,000.00 for the period 8/1/2008 - 9/30/2012, by changing the scope of services to assessment of playgrounds located in East Cleveland and to conduct health monitoring activities in connection with the U.S. Environmental Protection Agency Brownfields Assessment Grants; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0236 was considered and adopted by unanimous vote.

12. CONSIDERATION OF A RESOLUTION FOR FIRST READING ADOPTION UNDER
SUSPENSION OF RULES/EXECUTIVE SESSION

[Note: Item No. 12 was taken out of order after Item No. 19 on the agenda.]

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. R2011-0237.

- a) R2011-0237: A Resolution **rejecting** the report containing findings and recommendations of Fact-finder Burt W. Griffin on open issues in negotiations between the County and the Ohio Patrolmen's Benevolent Association, for a first collective bargaining agreement covering four employees in the classification of Lieutenant in the Sheriff's Department, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/County Sheriff

A motion was made by Mr. Miller, seconded by Ms. Simon and approved by unanimous vote to move to Executive Session for the purpose of discussing with the Law Director matters concerning findings of a Fact-finder, and for no other purpose whatsoever. Executive Session was then called to order by Council President Connally at 7:25 p.m. The following members were present: Councilmembers Jones, Rogers, Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell and Connally. The following additional attendees were present: County Executive Ed FitzGerald, Clerk of Council Jeanne Schmotzer, Law Director Majeed Makhoulf, Assistant Law Director Christopher Russ, Director of Human Resources Elise Hara, Special Assistant to the County Executive Bob Ivory and Deputy Clerk of Council Nikima Barnhill. At 7:52 p.m., a motion was made by Mr. Miller, seconded by Mr. Greenspan and unanimously approved to adjourn Executive Session. Council President Connally then reconvened the regular meeting at 7:55 p.m.

A motion was then made by Mr. Miller, seconded by Mr. Brady and approved by unanimous vote to amend Resolution No. R2011-0237 to state "rejecting" the Fact-finder report.

On a motion by Mr. Miller with a second by Mr. Schron, Resolution No. R2011-0237 was considered and adopted by unanimous vote, as amended on the floor.

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

R2011-0238: A Resolution authorizing the County Executive to enter into an agreement with City of Cleveland Heights in the amount not-to-exceed \$512,500.00 for lead hazard remediation for the period 7/1/2011–7/31/2014, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Council President Connally referred Resolution No. R2011-0238 to the Economic Development & Planning Committee and to the Environment & Sustainability Committee.

- a) R2011-0239: A Resolution authorizing awards to various municipalities, in the total amount of \$1,150,000.00, for various municipal grant projects for the Neighborhood Stabilization Program for the period 7/12/2011 - 1/11/2013; authorizing the County Executive to enter into agreements consistent with said awards:
- 1) City of Bedford in the amount of \$150,000.00.
 - 2) City of Cleveland Heights in the amount of \$250,000.00.
 - 3) City of Lakewood in the amount of \$250,000.00.
 - 4) City of Shaker Heights in the amount of \$250,000.00.
 - 5) Village of Newburgh Heights in the amount of \$250,000.00.

Sponsor: County Executive FitzGerald/Department of Development

Council President Connally referred Resolution No. R2011-0239 to the Economic Development & Planning Committee.

- b) R2011-0240: A Resolution authorizing awards to various municipalities, in the total amount of \$2,109,532.00, for various municipal grant projects for the Community Development Block Grant Program for the period 7/1/2011 - 12/31/2012; authorizing the County Executive to enter into agreements consistent with said awards:
- 1) City of Maple Heights for the Broadway Avenue Reconstruction Project in the amount of \$500,000.00.
 - 2) City of North Olmsted for the County Club Boulevard Streetscape Project in the amount of \$350,000.00.
 - 3) Village of Oakwood for the Richmond-Broadway Intersection Realignment Project in the amount of \$350,000.00.
 - 4) City of Parma Heights for the Ackley Boulevard Reconstruction Project Phase 2 in the amount of \$150,000.00.
 - 5) City of Bedford for the Historic Bedford Automobile Enhancement Project in the amount of \$150,000.00.
 - 6) City of Shaker Heights for the Gridley Triangle Park Improvements Project in the amount of \$120,000.00.
 - 7) City of Bay Village for the Senior Center ADA Improvements Project in the amount of \$49,900.00.
 - 8) City of Brooklyn for the Removing Barriers to Limited Mobility Seniors and Handicapped Individuals Project in the amount of \$93,312.00.

- 9) City of Berea for the Polish Village Neighborhood Improvement Project Phase 2 in the amount of \$150,000.00.
- 10) Village of Woodmere for the Police and Fire Department Building and Site Improvement Project in the amount of \$136,320.00.
- 11) Village of Newburgh Heights for a Comprehensive Community Development Plan Update in the amount of \$30,000.00.
- 12) City of Fairview Park for a Master Plan Update in the amount of \$30,000.00.

Sponsor: County Executive FitzGerald/Department of Development

Council President Connally referred Resolution No. R2011-0240 to the Economic Development & Planning Committee.

- c) R2011-0241: A Resolution authorizing the County Executive to enter into an amendment to Contract No. CE1000585-01 with United Labor Agency, Inc. for Employment Connection employer services for the period 7/1/2010–6/30/2011 to extend the time period to 6/30/2012 and for additional funds in the amount of \$1,272,000.00, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board

Council President Connally referred Resolution No. R2011-0241 to the Economic Development & Planning Committee.

- d) R2011-0242: A Resolution authorizing the County Executive to enter into amendments to contracts with various providers for Employment Connection One-Stop operation and services to adult job seekers for the period 7/1/2010 - 6/30/2011 to extend the time period to 6/30/2012 **and for additional funds**; and declaring the necessity that this Resolution become immediately effective:

- 1) No. CE1000589-01 with Mature Services, Incorporated in the amount not-to-exceed \$101,825.00.
- 2) No. CE1000590-01 with Towards Employment, Incorporated in the amount not-to-exceed \$250,000.00.
- 3) No. CE1000591-01 with United Labor Agency, Inc. in the amount not-to-exceed \$2,028,000.00.

Sponsor: County Executive FitzGerald/Department of Workforce Development, in partnership with City of Cleveland/Cuyahoga County Workforce Investment Board

Council President Connally referred Resolution No. R2011-0242 to the Economic Development & Planning Committee.

14. 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. R2011-0215, R2011-0216, R2011-0217, R2011-0223, R2011-0224, R2011-0225, R2011-0226, R2011-0227, R2011-0228, R2011-0229, R2011-0230, R2011-0231, R2011-0232, R2011-0233 and R2011-0234.

- a) R2011-0215: A Resolution authorizing the County Executive to enter into an amendment to Agreement No. AG1000313-02, 03 with City of Euclid for the HOME Rehabilitation and Resale of Single-Family Homes Program for the period 10/1/2010 - 12/31/2012 to change the terms, effective 4/1/2011, and for additional funds in the amount of \$105,966.00; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning
– Schron

On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2011-0215 was considered and adopted by unanimous vote.

- b) R2011-0216: A Resolution authorizing awards on RQ20209 to Alabasi Construction Incorporated in the amount of \$1,466,661.00 and to Scharon Electric Company, Inc. in the amount of \$106,970.00 for heating unit replacement and associated energy conservation activities at the Westerly Apartments, located at 14300 Detroit Avenue, Lakewood, in connection with the Home Weatherization Assistance Program for the period 8/1/2011 - 11/30/2011; authorizing the County Executive to enter into contracts consistent with said awards; and declaring the necessity that this Resolution become immediately effective. (Executive Approval No. EA2011-0474 - authority to seek proposals.)

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning
– Schron

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0216 was considered and adopted by unanimous vote.

- c) R2011-0217: 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/Fiscal Officer/Office of Budget & Management

Committee Assignments and Chairs: Finance & Budgeting – Miller;
Health, Human Services & Aging – Brady and Justice Affairs – Simon

On a motion by Mr. Miller with a second by Ms. Conwell, Resolution No. R2011-0217 was considered and adopted by unanimous vote.

- d) R2011-0223: A Resolution declaring that public convenience and welfare requires resurfacing of Taylor Road from Euclid Avenue to the East Cleveland South Corporation Line in the City of East Cleveland; total estimated construction cost \$1,375,000.00; finding that special assessments are not to be levied and 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 City of East Cleveland in connection with said project.

Sponsor: County Executive FitzGerald/Department of Public Works/
County Engineer **and Councilmember Rogers**

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

On a motion by Mr. Rogers with a second by Mr. Jones, Resolution No. R2011-0223 was considered and adopted by unanimous vote.

- e) R2011-0224: A Resolution authorizing the County Executive to enter into an agreement of cooperation with Village of Bratenahl for replacement of Lakeshore Boulevard Bridge No. 188.

Sponsor: County Executive FitzGerald/Department of Public Works/
County Engineer **and Councilmember Rogers**

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

On a motion by Mr. Rogers with a second by Mr. Jones, Resolution No. R2011-0224 was considered and adopted by unanimous vote.

- f) R2011-0225: A Resolution authorizing the County Executive to enter into a Local Public Agency agreement with Ohio Department of Transportation for local replacement and rehabilitation of the following bridges: Miles Road Bridge over Chagrin River in the City of Bentleyville, Monticello Boulevard Bridge over the West Branch of Euclid Creek in the City of South Euclid, Hilliard Road Bridge over Rocky River in the City of Lakewood and Cedar Point Road Bridge over Rocky River in the City of North Olmsted; 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 Ms. Conwell, Resolution No. R2011-0225 was considered and adopted by unanimous vote.

- g) R2011-0226: A Resolution authorizing the County Executive to approve an additional settlement in the amount of \$150.00 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 for Parcel No. 113T, 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. Jones with a second by Ms. Conwell, Resolution No. R2011-0226 was considered and adopted by unanimous vote.

- h) R2011-0227: A Resolution authorizing the County Executive to approve an additional settlement in the amount of \$310.00 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 for Parcel No. 129T, 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. Jones with a second by Mr. Rogers, Resolution No. R2011-0227 was considered and adopted by unanimous vote.

- i) R2011-0228: A Resolution authorizing an award on RQ19570 to Town Center Construction, LLC, in the amount of \$360,900.00 for construction of an Energy Center at the Cuyahoga County Fairgrounds in connection with the Fairgrounds Wind Turbine Project; 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 **and Councilmember Rogers**

Committee Assignments and Chairs: Committee Assignments and
Chairs: Economic Development & Planning – Schron ~~and Environment
& Sustainability – Rogers~~

Council President Connally withdrew the referral of this item to the Environment & Sustainability Committee.

On a motion by Mr. Schron with a second by Mr. Rogers, Resolution No. R2011-0228 was considered and adopted by unanimous vote.

- j) R2011-0229: A Resolution amending Resolution No. R2011-0034 dated 1/25/2011, which authorized an economic development loan in the amount not-to-exceed \$800,000.00 for construction of a facility to be located on Cornell Road, Cleveland, to change the name of the borrower from SDC University Circle Developer LLC to SDC University Circle LL LLC; and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Department of Development

Committee Assignment and Chair: Economic Development & Planning –
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On a motion by Ms. Conwell with a second by Mr. Rogers, Resolution No. R2011-0229 was considered and adopted by unanimous vote.

- k) R2011-0230: A Resolution authorizing a Brownfields Redevelopment Fund loan in the amount not-to-exceed \$1,000,000.00 to Miceli-Lograsso Development III LLC for a Phase II Expansion Project, located at 2800 East 90th Street, Cleveland; authorizing the Director or Deputy Chief of Staff 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 **and Councilmember Jones**

Committee Assignment and Chair: Economic Development & Planning – Schron

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0230 was considered and adopted by unanimous vote.

- l) R2011-0231: A Resolution authorizing the County Executive to enter into a contract with Toshiba Business Solutions - OH in the amount not-to-exceed \$4,000,000.00 for Countywide enterprise digital and print management services using "green" friendly technology for the period 7/1/2011 - 6/30/2016, and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Information Services Center

Committee Assignment and Chair: Finance & Budgeting - Miller

A motion was made by Mr. Miller, seconded by Mr. Rogers and approved by unanimous vote to amend Resolution No. R2011-0231 to change the name of the company from “Toshiba Business Solutions – OH” to “Toshiba Business Solutions, (USA), Inc.”

On a motion by Mr. Miller with a second by Mr. Jones, Resolution No. R2011-0231 was considered and adopted by unanimous vote, as amended on the floor.

- m) R2011-0232: A Resolution authorizing the County Executive/Office of Procurement & Diversity to participate in the Ohio Department of Transportation Cooperative Purchasing Program for the period 5/1/2011 - 4/30/2013, in accordance with Ohio Revised Code Section 5513.01(B); and declaring the necessity that this Resolution become immediately effective.

Sponsor: County Executive FitzGerald/Office of Procurement & Diversity

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

On a motion by Mr. Schron with a second by Ms. Conwell, Resolution No. R2011-0232 was considered and adopted by unanimous vote.

- n) R2011-0233: A Resolution authorizing the County Executive to enter into a contract with Berea Children's Home in the amount not-to-exceed \$507,600.00 for Community-based Treatment Center management services for the period 1/1/2011 - 6/30/2011, and declaring the necessity that this Resolution become immediately effective.

Sponsors: County Executive FitzGerald and Juvenile Court **and Councilmember Jones**

Committee Assignment and Chair: Justice Affairs – Simon

On a motion by Ms. Simon with a second by Ms. Conwell, Resolution No. R2011-0233 was considered and adopted by unanimous vote.

- o) R2011-0234: A Resolution authorizing an award on RQ19343 to First Energy Solutions in the amount of \$5,500,000.00 for the purchase of electric utility services for County-owned facilities for the period 6/1/2011 – 5/31/2012; 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 **and Councilmember Jones**

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

On a motion by Mr. Jones with a second by Ms. Conwell, Resolution No. R2011-0234 was considered and adopted by unanimous vote.

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. Gallagher and approved by unanimous vote to suspend Rule 9D and to place on final passage Ordinance Nos. O2011-0026, O2011-0029 and O2011-0030.

- a) O2011-0026: An Ordinance adopting the five-year Economic Development Plan, in accordance with Section 7.05 of the Charter of Cuyahoga County, and declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald/Department of Development and Councilmembers Schron, Gallagher, **Jones and Miller**

Committee Assignment and Chair: Economic Development & Planning – Schron

Mr. Miller introduced a written amendment to the plan on the floor. Discussion ensued.

A motion was then made by Mr. Miller, seconded by Mr. Greenspan and approved by unanimous vote to amend Part 2, Section 3 in the Place Making Action Plan of the five-year Economic Development Plan by adding “Seek the support of the municipalities bordering Lake Erie and other economic development partners to create a collaborative process to recommend updates to Lakefront Development plans and encourage implementation of those plans.”

On a motion by Mr. Schron with a second by Mr. Miller, Ordinance No. O2011-0026 was considered and adopted by unanimous vote, as amended on the floor.

- b) O2011-0029: An Ordinance amending Ordinance No. O2011-0016 to establish the organizational structure of the Department of Law.

Sponsor: County Executive FitzGerald/Department of Law

Committee Assignment and Chair: Justice Affairs – Simon

On a motion by Ms. Simon with a second by Mr. Jones, Ordinance No. O2011-0029 was considered and adopted by unanimous vote.

- c) O2011-0030: An Ordinance amending Ordinance No. O2011-0014 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 declaring the necessity that this Ordinance become immediately effective.

Sponsors: County Executive FitzGerald and Councilmembers Miller, **Brady, Jones and Gallagher**

Mr. Miller introduced five written amendments on the floor:

On a motion by Mr. Miller with a second by Mr. Schron, the written amendment introduced by Mr. Miller to amend Section 3.4(b)(2) to add the words “financial, insurance and information technology” was considered and adopted by unanimous vote.

On a motion by Mr. Miller with a second by Mr. Schron, the written amendment introduced by Mr. Miller to amend Section 3.4(e) to add the words “in the case of contracts on behalf of courts with any other courts or other political subdivisions” was considered and adopted by unanimous vote.

On a motion by Mr. Miller with a second by Mr. Brady, the written amendment introduced by Mr. Miller to amend Section 3.4(b)(15) to delete the words, “contracting authority” and to add the words “Executive at a public meeting” was considered and adopted by unanimous vote.

On a motion by Mr. Miller with a second by Mr. Brady, the written amendment introduced by Mr. Miller to amend Section 3.4(b)(17) to delete the words “pursuant to Section 9.48 of the Ohio Revised Code” and to add the words “authorized by the Ohio Revised Code, including, but not limited to, Ohio Revised Code Section 9.48; and,” was considered and adopted by unanimous vote.

On a motion by Mr. Miller with a second by Mr. Brady, the written amendment introduced by Mr. Miller to amend Section 3.4(b)(18) to delete the words “pursuant to Section 125.04 of the Ohio Revised Code” and to add the words “authorized by the Ohio Revised Code, including, but not limited to, Ohio Revised Code Section 125.04 and Ohio Revised Code Section 5513.01.” was considered and adopted by unanimous vote.

Mr. Germana offered a verbal amendment on the floor to amend Section 3.8(n) to delete “g” as an exception. Mr. Miller then seconded the motion. Discussion ensued.

Council President Connally made a motion to table the amendment, seconded by Ms. Simon.

After further discussion, Mr. Germana withdrew his motion and Mr. Miller withdrew his second, as did Council President Connally and Ms. Simon.

On a motion by Mr. Miller with a second by Mr. Jones, Ordinance No. O2011-0030 was considered and adopted by unanimous vote, as amended on the floor.

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

- a) O2011-0033: An Ordinance establishing procedures for authorization of settlement of litigation by or against the County or any of its officers, employees, departments, offices, agencies, boards, commissions, or other authorities; and declaring the necessity that this Ordinance become immediately effective.

Council President Connally referred Ordinance No. O2011-0033 to the Justice Affairs Committee.

Sponsors: County Executive FitzGerald/Department of Law and Council President Connally

- b) O2011-0034: An Ordinance providing for adoption of administrative rules for the Cuyahoga County Human Resource Commission, and declaring the necessity that this Ordinance become immediately effective.

Sponsor: County Executive FitzGerald/Human Resource Commission

Council President Connally referred Ordinance No. O2011-0034 to the Human Resources, Appointments & Equity Committee.

17. MISCELLANEOUS COMMITTEE REPORTS

There were no miscellaneous committee reports.

18. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

19. PUBLIC COMMENT UNRELATED TO AGENDA

No public comments were given.

20. 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 7:58 p.m., without objection.